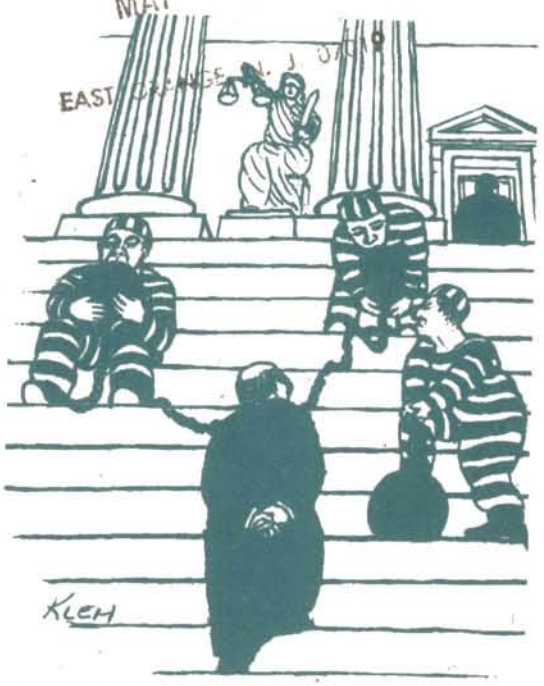
SHOPPING MALLS **JENNIFER CROSS**

THE NATION

MAY 11, 1974 *50 cents*

UPSALA COLLEGE
LIBRARY
MAY 6 1974
EAST ORANGE, N. J.

10-72 10-73 10-74 AG
Upsala College Library
East Orange, N.J. 07019



Prison Class Action ***Marvin E. Gettleman***

JAILHOUSE LAWYERS OF BROOKLYN

Redistributing Income
WHAT WORKS, WHAT DOESN'T

Robert Lekachman

GRACE PALEY/'ENORMOUS CHANGES AT THE LAST MINUTE'

Burton Bendow

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

EDITORIALS

The Huckster President

President Nixon continues to degrade the office which it is his self-proclaimed mission to defend against Congressional and judicial encroachment. In his televised address on the Watergate transcripts, he stresses once again the paramount importance of protecting the "confidentiality" of Presidential conferences and conversations. With a straight face, he insists on his dedication to this principle. But it was Mr. Nixon—no one else—who ordered installation of the taping system; he is responsible for "the wired White House." Apart from the deception involved, the fact that conversations were secretly taped negates the idea of confidentiality.

In his latest television "commercial," he kept pointing like a pitchman to a stack of volumes containing transcripts of certain tapes, which he said "tell it all." The release of even these carefully edited transcripts, he conceded, may embarrass him or subject him to ridicule but —gallant Dick—he is willing to suffer this unpleasantness so that Congress, press and public may have the facts, even if it means scrapping the sacred principle of "confidentiality" which he had breached when the taping system was installed. In the same spirit he tells us that Watergate has been dragging on much too long, there is important work to do in the world, and he wants to get on with it. But why, if the transcripts establish his innocence, has he resisted releasing them for almost a year to the day? Who has been "dragging out" Watergate? And if the tapes establish his innocence, why was it necessary to edit them? Wouldn't the tapes be more "relevant" than edited transcripts? Why weren't they released at the very moment when, as he tells it, he first learned of the cover-up? And how did it happen that we learned of the existence of the tapes only when the Ervin committee staff questioned a minor White House aide?

This latest television performance is another attempt by the President to sell the public a used-car version of the facts. By way of countering the impact of this latest "selling" blitz, renewed emphasis must be placed on what the charge of cover-up means in the context of Watergate. The payment of slush money is only one aspect. The charge embraces all the actions and decisions taken by the President, or by his top aides at his instigation, which had the effect of concealing facts, delaying the disclosure of facts, destroying evidence, and resisting requests for information from Congressional committees and the special prosecutors (Cox and Jaworski). For a year or more, the President has made it as difficult as possible to uncover the cover-up; each of his concessions has been the result of prior disclosures in the press or strong pressure from the investigation agencies, Congress and the press. It is the totality of these obstructions that constitutes the essence of the charge of cover-up.

The President, of course, seeks to narrow the charge, but he is not at the moment the target of a criminal indictment; he is facing possible impeachment. In this context the charge of "obstructing justice" takes on special implications. Under the Constitution the President has a special obligation to execute the laws faithfully; indeed this is perhaps his most solemn pledge. Whatever one thinks about the degree of Mr. Nixon's personal involvement in the cover-up, it is hard to believe that he has faithfully executed the laws in the Watergate affair. On the contrary, he has used the full powers of his office —and these powers are indeed awesome—to make it exceedingly difficult to execute the laws or to get the full facts before Congress, press and public.

Even now he is not fully cooperating; there are still unhonored requests for evidence and information. The record shows that the President has pursued a strategy of deliberate obstruction and delay from April 30, 1973 —when he promised there would be "no whitewash at the White House"—to the present time. In view of the President's talents as a pitchman too much emphasis cannot be placed on the realities—the fundamentals—of his involvement in the cover-up. In a recent speech in New Jersey, columnist Jack Anderson offered some down-to-earth comments on these realities. "Every single one of the Watergate crimes," he pointed out, "without exception was committed for the benefit of Richard Nixon." Two dozen of Nixon's aides and associates have pleaded guilty or are under indictment for Watergate crimes which "did not profit them personally." They were "running round violating the law to enrich him, to protect him, to re-elect him. . . . The President would have you believe he has existed these past five years up in a cloud somewhere."

Whatever else he may be Richard Nixon is not a cloud dweller. With his back to the wall, he is now using (with the generous cooperation of the three networks) all the pitchman's tricks, at which he has always been adept, to sell a version of the facts that cannot be reconciled with what the public now knows—with no help from him—about the break-in and cover-up.

Presidential Model

One of the pleasant duties of heads of state and lesser dignitaries is to dedicate. When a Congressman dedicates a village post office, it gives the local politicians a chance to strut and the Congressman, of course, gets credit for the appropriation. Naturally, when a President of the United States dedicates, it is on a far more impressive scale. On February 15, when Mr. Nixon consecrated a new multimillion-dollar addition to Cedars of Lebanon Hospital in Miami, the show not only got on local TV but the evening network news programs carried it. He used the occasion to plug his plan for privately financed national health insurance, although the connection was somewhat obscure. Kenneth R. Cole, a Nixon adviser, called the hospital the "most progressive in the country."

Cedars had a history of growth—and trouble. Opened in 1961, it was operated as a 252-bed facility with about average success. In 1969 its president, Sanford K. Bronstein, a prominent conservative Miami businessman with connections in Washington, conceived a bold idea—this run-of-the-mill hospital was to become the "Mayo Clinic of the South." His dream included 560 additional beds—tripling the patient capacity—and a health testing laboratory, hotel space for patients' families, apartments for

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

physicians, a swimming pool on the roof, restaurants.

Local reactions were mixed. The Comprehensive Health Planning Council of South Florida, which coordinates health-related activities in the area, was opposed. It pointed out that, by the time the added space and equipment were ready for use in 1975, Dade County would be oversupplied with hospital beds.

Nothing daunted, Mr. Bronstein appealed to Washington. According to the *Miami Herald*, William Bayer, a trustee of the hospital and its paid lobbyist, sought the help of Bryce N. Harlow, one of the President's principal legal aides, to obtain a Federal Housing Administration guarantee on a $62 million loan. This was in 1970, at a time when Mr. Bronstein had his own active channels to Washington. He had the support of former Rep. William C. Cramer (R., Fla.) and was said to be a longtime friend of James Cavanaugh, the White House health adviser. Among other irons in the fire, he was a member of a group of conservative Miamians who are challenging the license renewal of Miami Television Channel 10, owned by the Washington Post Company, which has been something of a thorn in Mr. Nixon's side. Thus one can trace, without an electron microscope, the considerations which led Nixon to dedicate the expanded—but unfinished—Cedars of Lebanon, and to extol a hospital that would allow the doctor "to be working for the patient and not for the federal government."

According to the New York *Daily News* (April 23), not only the Comprehensive Health Council of South Florida, but HEW consultants opposed the 1970 $62 million loan guarantee. It went through, *The News* asserts, because the White House intervened.

On February 15, before an assemblage of worshipful Miamians, Mr. Bronstein intoned, "The President of the United States" and Mr. Nixon stepped forward to praise free enterprise. On March 30, Mr. Bronstein was fired by his board of trustees for "financial mismanagement." On April 5 the hospital petitioned for reorganization under Chapter 11 of the Federal Bankruptcy Law. While it is too early to pass judgment, it doesn't look like a clean bankruptcy. Cedars owes the Internal Revenue Service $910,000 for taxes withheld from its employees. Payments totaling $657,000 to the engineering firm of Onions & Bouchard, of Jamaica and Bermuda, were made through one Harry Simpson, whose association with the engineering firm reportedly ended in 1963. Several of the checks are reported to have been cashed at a Miami jewelry firm of which Mr. Bronstein is a partner, and at a Miami bank of which he is a director. Several hospital trustees have denied any knowledge of the Onions & Bouchard contract, although it appears in the minutes of a 1969 board meeting which they attended. The Dade County State's Attorney is investigating these and other leads.

It may all have been a case of innocent though mala-

COMING SOON

J. EDGAR'S LEGACY

How the Federal Bureau of Investigation was made into the Ministry of Internal Security.

FRANK J. DONNER

IN THIS ISSUE

May 11, 1974

EDITORIALS

578

ARTICLES

582 Prison Class Action: Jailhouse Lawyers of Brooklyn — *Marvin E. Gettleman*

586 All Show, No Go: Land Reform in the Philippines — *Benedict J. Kerkvliet*

589 Redistributing Income: What Works, What Doesn't — *Robert Lekachman*

592 Reserve Mining's Big Sewer: The Battle of Lake Superior — *Quincy Dadisman*

594 Shopping Mall Dream World: Xanadu in a Parking Lot — *Jennifer Cross*

BOOKS & THE ARTS

597 Paley: Enormous Changes at the Last Minute — *Burton Bendow*

598 Sucher, ed.: The Asahel Curtis Sampler — *Jerry Griswold*

599 Further to the Point of Miracles (poem) — *M. L. Rosenthal*

600 Lezama Lima: Paradiso — *Peter Moscoso-Góngora*

601 Hanley: A Woman in the Sky — *Robert K. Morris*

602 Dance — *Nancy Goldner*

602 The Ball Field Lights (poem) — *Robert Wallace*

604 Theatre — *Harold Clurman*

605 Music — *Richard Dyer*

Publisher
JAMES J. STORROW Jr.

Editor
CAREY McWILLIAMS

Associate Publisher
LINDA EDER STORROW

Executive Editor
ROBERT HATCH

Literary Editor
EMILE CAPOUYA

Western Representative
GIFFORD PHILLIPS

Copy Editor, MARION HESS; Poetry Editor, GRACE SCHULMAN; Theatre, HAROLD CLURMAN; Art, LAWRENCE ALLOWAY; Music, DAVID HAMILTON; Dance, NANCY GOLDNER; Architecture, JANE HOLTZ KAY; Science, CARL DREHER; Advertising Manager, MARY SIMON; Circulation Manager, ROSE M. GREEN.

Editorial Associate, ERNEST GRUENING

Washington, ROBERT SHERRILL; London, RAYMOND WILLIAMS; Paris, CLAUDE BOURDET; Bonn, C. AMERY; Jerusalem, HERBERT KROSNEY; Canberra, C. P. FITZGERALD; U.N., ANNE TUCKERMAN.

The Nation is published weekly (except biweekly in July and August) by the Nation Company and copyright 1974 in the U.S.A. by the Nation Associates, Inc., 333 Sixth Avenue, New York, N. Y. 10014. Tel: CH 2-8400. Second class postage paid at New York, N. Y.

Subscription Price: One year $15; two years, $27.50. Add $1 per year postage for Canada and Mexico; $2 other foreign.

Change of Address: It is essential that subscribers ordering a change of address give four weeks' notice and provide their old as well as their new address. Please give Zip Code numbers for both addresses.

Manuscripts. All work submitted will be read by the editors. The magazine cannot, however, be responsible for the return of unsolicited manuscripts unless they are accompanied by stamped, self-addressed envelopes.

Information to Libraries: The Nation is indexed in Readers' Guide to Periodical Literature, Book Review Digest, Book Review Index and the Public Affairs Information Service.

THE NATION

Volume 218

No. 19

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

droit boosterism, but it should be a lesson to Mr. Nixon. Next time he does a dedication, he had better look before he lauds. One thing is certain: he chose a poor model for his great private health-care system.

Arms to Egypt?

The key factors in the crucial military and diplomatic game that is being played in the Middle East point to a constructive solution. But the incredibly obtuse policy to which John Foster Dulles committed the United States by first offering support for the Aswan Dam project and then withdrawing it will not be quickly or easily reversed. And it will take all of Henry Kissinger's vaunted skill to bring peace to the area, no matter who supplies arms to whom. That, and a good deal of luck.

Returning from a week-long trip to West Germany, Secretary of Defense James R. Schlesinger ponders the problem of selling U.S. arms to Egypt. "That kind of possibility should be carefully examined," he tells the press. He is not exactly letting a cat out of the bag, since President Anwar Sadat anticipated him: "If the United States is ready to sell me arms, I shall be very happy." And earlier, in receiving the credentials of the first American Ambassador to Egypt in seven years, Sadat foresaw "a new page in relations between our two countries."

The veriest tyro in diplomacy will deduce that when Sadat says he will be happy to buy American arms, he already has private assurances that a deal is in the making. In fact, the cooling of Soviet-Egyptian relations in 1973 was a harbinger of the great romance now kindling between the United States and Egypt. It is abetted by the fact that the money to pay for the arms is practically in the bank, subject to withdrawal whenever needed. It is not Sadat's money but that of King Faisal who got and will continue to get most of it from American consumers. Thus the deals can be made on a cash basis, which in the present state of the American economy may make a good deal even better.

Of course there are technical difficulties and lights must be burning into the night at the Pentagon while experts study how to shift over Sadat's army from Soviet to U.S. machines of war. It is a safe assumption that Egyptian experts are similarly occupied. Talking about such changeovers is much easier than making them; in any event, they cannot be made rapidly.

It is difficult to see how the U.S.-Egyptian rapprochement brings peace nearer to the Middle East, except in a single instance. The Nixon Administration—i.e., Kissinger—is working on a crash aid program for Egypt in the amount of about $250 million. This is not an enormous sum—compare it with our aid to our still embattled allies in Southeast Asia—but it is sufficient to clear the Suez Canal of explosives and wreckage and make it navigable again, and to rehabilitate the devastated cities along the waterway. The canal in operation is a contributory assurance of peace, and an aid to world economy. Its closing since 1967 has cost the nations that use it something like $10 billion, and a quarter billion or so could hardly be spent to better advantage than to restore the canal to operation.

But selling arms to Egypt should be carefully scrutinized by the Congress before we get ourselves into another morass. John Foster Dulles is no longer with us, but he has successors. The Syrians show no inclination to make peace, and just how much Sadat and Kissinger can do to cool their martial ardor remains to be seen. The Soviets may be losing their influence in Egypt, but they probably retain it in Syria. There is even the possibility that Sadat will try to blackmail the Russians for newer weaponry and more of it, by setting up the United States as a possible supplier. Another possibility is that a U.S.-Egypt détente may upset the precarious U.S.-Soviet détente.

What is needed in the troubled region of the Middle East is not more arms but ideas on the order of the Strauss-Eisenhower plan for irrigating large sections of potentially arable desert and creating a homeland for the Palestinians. Has Kissinger heard of that? Should not such innovative, humane projects find a place in his *Realpolitik*? Or perhaps an agreement of all the great powers to limit arms sales to all nations in the region, after the pattern of the Tripartite Agreement of 1950?

Slipping to the Right

Initially it was widely assumed that Watergate need not be a disaster for the Republican Party and its nominees. After all, it was said, Watergate was the President's, not the party's, disaster. And so it was, but the party took too long before attempting to dissociate itself from Nixon and CREEP; as party leaders hesitated, Watergate scandals multiplied and assumed ever more serious aspects. Now the special primary elections have demolished the original assumption; no longer is it contended that Watergate is no concern of the GOP per se. But Watergate has merely contributed to trends which the party has too long neglected. Consider, for example, the unhappy "image" which the Republican Party presents in California as the June primary draws near.

In this year's Senate race, the Republicans, realistically, are without a candidate. San Diego's Mayor Pete Wilson would have been presentable; so too would Pepperdine College President William Banowsky, Republican National Committeeman. But both decided that 1974 was not their year. Attention then centered on Dr. S. I. Hayakawa who, not long ago, with the armed forces of the state at his back, fought the student protesters at San Francisco State. Hayakawa might have done fairly well—he got 51 per cent of the Republican vote in certain polls—and he was quite willing to toss his famous tam-o'-shanter into the race. Indeed, with this in mind, he had switched his registration to the Republican Party, but apparently his advisers were unfamiliar with the state election laws, for the change came too late for him to run as a Republican this year. The contenders now left are: Sen. H. L. Richardson of Arcadia, with a John Birch Society background; Dr. Earl Brian, who carried out controversial welfare cutbacks while serving as Governor Reagan's secretary of health and welfare; James E. Johnson, a black, formerly Reagan's veterans director, and Tom Malatesta, who heads a Republican study group that keeps an eye on the media. Of these Richardson and Brian are front runners. Richardson stresses his right-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

wing political philosophy while conceding that Sen. Alan Cranston is "sincere" in his views; Brian regards Cranston as a "hack" and "charlatan." Richardson sensibly states that anyone placing bets on the Senate race should bet on Cranston. Give him credit for candor.

In the race for Governor, the Republicans are also in trouble. Lieut. Gov. Ed Reinecke—a popular figure with the GOP rank and file—is a protégé of Governor Reagan. He was hand-picked by Reagan to run for lieutenant governor and, ultimately, to be his successor, the better to hold Republican delegates in line for Reagan in 1976. But Reinecke is now under indictment for perjury arising out of the investigation of ITT's $400,000 pledge for the projected San Diego Republican convention in 1972. More damaging than the indictment is the fact that Reinecke apparently knew he was certain to be indicted before he announced his candidacy. He has asked for a pre-primary trial date, but even if he is acquitted, his candidacy has been gravely damaged. Not surprisingly, some of Reagan's fattest cats have shifted their support to State Controller Houston I. Flournoy. But some of them are said to be having second thoughts, since they now fear that Flournoy just might double-cross them by refusing to support Reagan in 1976.

Flournoy's problem illustrates precisely what is wrong with the Republican Party: he is much too moderate to appeal to California Republicans in the 1970s. Bill Boyarsky, political writer for the *Los Angeles Times,* after examining a recent batch of Republican speeches and interviewing various party leaders, concludes that there is "not a trace of the Republican line of the 1940s, 1950s and early 1960s" left in the party. In those decades such Republican leaders as Earl Warren, Thomas Kuchel and Goodwin Knight made it possible for the GOP to project an image of decency, moderation and mild reform. Eight years of Reagan's leadership have moved the party perceptibly to the Right, and it was a party of the Right before he appeared on the scene. Reinecke's indictment stems from Watergate and the scandals are no doubt responsible for the decision of Robert Finch and Atty. Gen. Evelle Younger not to seek the Republican gubernatorial nomination this year. But the party's troubles in California antedate the break-in and cover-up. By contrast, the Democrats have a choice of some excellent nominees, including Secretary of State Edmund G. Brown, Jr., Assembly Speaker Robert Moretti, Rep. Jerome Waldie and William Matson Roth.

Nationally the polarizing process is less evident than in California but the trend is similar. At the recent Midwest Republican Conference in Chicago the most popular contender among the party functionaries in attendance was Governor Reagan. Vice President Ford occupied what is left of the middle ground while Nelson Rockefeller was well to the Right of Sen. Charles Percy and rhetorically a bit to the Right of Reagan. In a recent Gallup poll of county chairmen, Senator Percy—a candidate with strong appeal to Democratic and Independent voters—ranked seventh in a field topped by Governor Reagan, Vice President Ford, Rockefeller and Connally. In this setting, Elliot Richardson, an attractive candidate, is even further out in left field than Senator Percy. And should party leaders yield to Nixon's current dictate that the party's fate is identical with his, the effect will be to move the party still further to the Right. Fortunately most of the state chairmen exhibit little enthusiasm for the President's contention.

None of this means that the death knell has sounded for the GOP; it does imply that a massive salvage operation must be launched between now and 1976 if the Republican Party is to be kept in the mainstream of American politics.

The Holes in Social Security

Any American who wants to be assured a carefree old age had better inherit a million or earn one while he can. If he works for a wage and thinks he will spend the "golden years" in comfort, more often than not he is kidding himself.

Take Medicare. The American Medical Association spent $7 million fighting its enactment. Greater folly can hardly be imagined. The system contains more loopholes for physicians and the government than the income tax law permits the wealthy. The transcript of a CBS Television Network broadcast with the ironical title, "You'll Get Yours When You're 65," makes depressing reading. Overall, Medicare pays only 42 per cent of the old folks' medical costs.

Some doctors accept whatever Medicare allows for the treatment and Social Security reimburses the patient for 80 per cent. More often, the doctor bills the patient far in excess of the Social Security allowance, the agency slashes that amount down to its standard fee, and the patient pays both 20 per cent of the latter and the difference between the doctor's billing and Social Security's allowance.

The patient pays the first $84 of the hospital bill. Medicare covers the rest up to sixty days, but a long hospital stay may be financially catastrophic—the patient pays $21 a day for the sixty-first through the ninetieth day, $42 a day for sixty "lifetime reserve" days. Then he pays $10.50 a day for the twenty-first through the hundredth day in a "skilled nursing facility," after which he is on his own. As for Medicaid, it is normally obtainable only after the patient has been stripped of nearly all his savings and any realty he may own.

Drugs outside of the hospital: no coverage. Dentistry: no coverage.

Healthy Social Security beneficiaries may not get enough to eat to stay healthy. Many think of nothing but how to live on their allowances. If they try to earn money, they have another problem. The original intent of Social Security legislation was to get "senior citizens" out of the job market at a time of mass unemployment; this objective lingers on in a provision which Sen. Barry Goldwater has been assailing. The citizen who derives thousands or hundreds of thousands from investments, pensions, rents or similar sources gets his full Social Security check, but the beneficiary who ekes out his Social Security income by working forfeits $1 in Social Security for every $2 he earns above $2,400. Until he reaches the age of 72, that is. Then he can keep it all, the government having calculated that enough beneficiaries will be in the cemetery by that time so that the burden

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

on the system will not be too great. Senator Goldwater would permit everyone on Social Security to earn outside money without penalty.

In general, European governments are more generous in their Social Security arrangements. Also, they started earlier. We waited until 1935, when the Great Depression forced it on us, against the anguished protests of wealthy citizens who took full-page newspaper ads arguing that we should continue to rely on rugged individualism, supplemented by private charity. This type of thinking still permeates much of the Social Security Administration and the Congress, but this time Barry Goldwater is on the right side.

Springtime in Lisbon

The jubilation occasioned by General de Spinola's successful coup in Lisbon will evoke warm responses wherever dictatorships are abhorred. The cheering that greeted the release of political prisoners and the return of the Socialist leader, Mario Soares (see his "Stagnant Dictatorship: The Legacy of Salazar," *The Nation,* April 17, 1972) will be echoed far and wide. The lifting of the censorship, the promise of free elections in a year, the restoration of freedom of political association and assembly, and the promise of a new tack in Portuguese policy toward the colonies, all these are welcome initiatives. But what Mario Soares had to say on arrival in Lisbon after five years in exile should be carefully noted: "The Army has given people freedom of expression. But it is not the Army but the workers and the people who must finish the job. It is not the time for division. People who want democracy must unite." The Salazar dictatorship, it should be remembered, came about as a result of a military coup.

General de Spinola has made it clear that he has self-determination, not independence, in mind for the colonies, and he has not spelled out in any detail what he means by self-determination. Moreover it is apparent that, in staging the nearly bloodless coup, he had the support not merely of his fellow officers but of important elements in the business, industrial and financial communities. Even before the coup it had been suggested that Washington would welcome a change in Portugal's African policies (see article by Miguel Acoca, *The Washington Post,* April 1). Indeed the key to the timing of the coup may well have been recent developments in the offshore oil fields of the provinces of Angola, Cabinda and Portuguese Guinea and the island of São Tomé. Such companies as Exxon, Gulf, Texaco and Shell are keenly interested in these developments. What makes the prospects so attractive is the fact that under the Geneva Convention of 1958, Lisbon controls the largest share of the Atlantic Ocean's exploration area. According to *Business Week* (March 23) Gulf is already taking 150,000 barrels a day out of Cabinda.

Important related industrial developments, including a large refinery complex, are under way in Portugal. This background creates a margin of considerable uncertainty as to just what General de Spinola means by "self-determination" in Portugal and in the colonies. All the same, what has happened in Portugal cannot be dismissed as a false spring; the coup is an event of major importance not merely because it brings a measure of political freedom and open discussion to Portuguese politics and raises possibilities for new negotiations with the colonies, but for what the changeover could mean in Spain and in Africa, with particular reference to Rhodesia and the Union of South Africa. Though it will be some time before the implications of the coup can be assessed, there is no need to defer at least two cheers for what has happened. But with 700,000 Portuguese settlers in the colonies and 160,000 Portuguese troops still serving there, and with the development of rich offshore oil resources, "self-determination" has ambivalent overtones.

PRISON CLASS ACTION

Jailhouse Lawyers of Brooklyn

MARVIN E. GETTLEMAN

Though prison reform is a popular topic for public discussion these days, painfully little action has been taken to correct the abuses that the Attica uprising of 1971 dramatized, or that Jessica Mitford wrote about so eloquently in *Kind and Usual Punishment.* Part of the reason for the failure of prison reform is that it proceeds from the question, what can *we* do for those unfortunate million and a half inmates in American penal institutions? An example of this approach was the recent recommendation by a Congressional subcommittee, headed by Robert W. Kastenmeier (D.,Wis.), that the general public be informed about the deplorable state of American prisons. Little attention is usually paid to the activities of inmates themselves and the community allies they choose, although it is more than likely that such self-organization may be the only effective approach to the transformation of the prisons. A class-action suit initiated by prisoners in the Brooklyn House of Detention is a striking example of this sort of initiative. It will be tried in the federal courts this spring.

In July 1972, seven indigent inmates awaiting trial in the all-male Brooklyn House of Detention, a gigantic structure overlooking Brooklyn Heights, submitted handwritten motions to the federal courts alleging violations of their constitutional rights. Some of these prisoners had been locked up for months, even years, without trial. Most suffered inadequate legal assistance from court-appointed counsel. Many were victimized by a corrupting system of

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

plea-bargaining which operated in place of any semblance of fair trial to process large numbers of poor white, black and Latin prisoners through the courts and into the "correctional" institutions of New York State. Motions which the inmates drafted on their own behalf (*pro se* motions, in legal terminology) were routinely ignored by the Kings County courts, while assigned counsel rarely offered clients the quality of defense that persons able to pay their lawyers can expect. From this predicament there was no legal appeal except to the federal courts although the Brooklyn prisoners knew that a mere lawsuit without community involvement and wide political reverberations would not get them far.

In the 1950s the federal judiciary, including the Supreme Court, had moved to broaden constitutional protection for the poor by insisting that states and localities observe the same guarantees that federal law-enforcement agencies are obliged (in theory at least) to honor: the guarantees in the Bill of Rights to a "speedy and public trial," prohibition of excessive bail and the right to assistance of counsel. These obligations began to be applied to state jurisdictions in such cases as the famous *Gideon* v. *Wainwright* (1963), which forced the states to supply free legal aid for indigent defendants. So it seemed only natural to the self-taught "jailhouse lawyers" of the Brooklyn House of Detention to direct their appeal to the federal judiciary.

The Brooklyn inmates who drafted the *pro se* complaints in 1972 included men with long histories of involvement with the New York criminal justice system. Donald Wallace, whose name headed the list of inmate plaintiffs, had served time in New York State prisons for a decade and a half. Randolph Jenkins faced assault charges, while Barry Wilson, the youngest of the group, had been indicted for possession of drugs. Although some black inmates had adopted separatist principles, preparation of the lawsuit threw prisoners together regardless of skin color. Black and Latin prisoners came to have a high regard for the abilities of Michael McLaughlin who, after his release on bail, worked full time on the prison lawsuit. Without formal training, many of these inmates amassed impressive knowledge of legal intricacies, often correcting and overruling the professional lawyers whom they later acquired. McLaughlin in particular, articulate and aggressive, showed a remarkable flair for courtroom drama as he skillfully cross-examined prison officials who were called to the witness stand in the early pretrial hearings. The behavior of the Brooklyn prisoners thoroughly confounded conventional wisdom about the incorrigibility of "hardened criminals" whose "adjustment" to outside society can be facilitated only by the sort of behavior therapy that aims at fostering docility. If there is a lesson here for penologists, it is that militant, assertive self-activity on the part of prisoners is probably the best preparation for life on the outside.

To dramatize their plight, the Brooklyn inmates staged a peaceful boycott of the Kings County courts, refusing to leave the House of Detention even when their cases were on the calendar. This boycott, almost completely effective among the eight tiers and 2,000 inmates of the cavernous prison, required a high degree of internal cohesion among the prisoners and sophisticated internal organization. Probably for a few inmates, a missed trial date meant a somewhat longer period of incarceration, but the spirit of solidarity was intense in Brooklyn only months after the Attica revolt. (Many inmates in the Brooklyn House of Detention had served time at Attica; some even knew the leaders of the upstate prison uprising.) Department of Correction officials, sensing that the Atlantic Avenue jail was a powder keg in the summer of 1972, made no effort to suppress the boycott.

The unity demonstrated in the boycott soon took legal form. The prisoners' complaints became the basis for a class-action suit, whereby the named plaintiffs, Donald Wallace and twelve others, undertook "fairly and accurately" to represent the interests of the other inmates in the House of Detention as a legal class. They charged the Hon. Michael Kern, and the entire roster of judges on the Kings County bench, along with the court clerks, the Correction Commissioner and the Attorney General, with responsibility for wholesale violation of constitutional rights of prisoners in the Brooklyn House of Detention. Abbreviated, the case's name is *Wallace* v. *Kern*.

But far more than a legal action grew out of the Brooklyn prison upsurge; the outside community also began to be involved. The summer boycott attracted support from local groups in Brooklyn, who demonstrated in front of the Atlantic Avenue jail. The signs and slogans linked developments in prison with broader issues: "Open up the Brooklyn House of Detention"; "All Power to the People"; "The Criminal Justice System is Criminal." Inmates shouted appreciation and encouragement through the barred windows to the demonstrators below. This vocal public support was among the reasons why the prison administrators were reluctant to use physical coercion to break the boycott, why the judges did not insist that inmates be forcibly brought into the courtrooms. The community involvement at the early stage of the class-action suit foreshadowed the assistance that teams of volunteer legal aides would supply as the litigation proceeded.

Able though they were, the Brooklyn "jailhouse lawyers" realized that, if their suit was to be really effective, they needed outside counsel. But one of the very complaints that rankled the inmates was that the counsel normally available in such cases—attorneys from the Legal Aid Society or other court-appointed counsel*—was woe-

---

Marvin Gettleman, associate professor of history in the Polytechnic Institute of New York, is the author, most recently, of The Dorr Rebellion: A Study in American Radicalism, 1833-1849 *(Random House). Currently fellow of the National Endowment for the Humanities, he is working on problems of 20th-century radicalism, and this essay is one result of this further study. Mr. Gettleman is also at work on a book to be titled* Rehearsal for McCarthyism, *a study of the New York State (Rapp-Coudert) legislative investigation of communism in the New York City schools in the early 1940s.*

* These are the so-called 18B lawyers, in private practice and unaffiliated with the Legal Aid Society, who serve as public defenders, and draw their pay from the state. With certain exceptions, these lawyers perform the job of defense less well than Legal Aid; often an 18B appointment is a sinecure.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

fully inadequate. Sometimes insensitive to the condition of indigent prisoners, many of whom are black and Latin, these attorneys at best were carrying caseloads too large for investigative work or legal research. As a consequence, these court-appointed lawyers were rarely able to defend their clients. Instead, attorneys functioned as an integral part of a system geared to processing, rather than defending, indigent accused offenders. In the urban criminal justice systems of America, the adversary role of counsel has almost withered away, as court-appointed lawyers act mainly as messengers, transmitting prosecution offers of plea-bargaining to defendants. Thus, they serve the criminal justice system, rather than their clients. When prisoners see the police, the judges, the district attorneys, probation officers, and even their own attorneys, all conspiring against them, it is not a paranoid but a realistic perception, and one that is verified by the most sophisticated scholarly analyses of the criminal justice system.**

Understanding that court-appointed counsel were part of the problem, not of the solution, the Brooklyn inmates reached out for the kind of professional legal assistance that would be really effective. They found what they were looking for in a coalition of attorneys mainly affiliated with the Center for Constitutional Rights in New York. Representative of a new generation of radical, socially conscious lawyers, these attorneys who eventually undertook to represent the Brooklyn plaintiffs, had gained valuable experience in defending civil rights workers and anti-war activists in the 1960s. The Center for Constitutional Rights numbered among its founders Arthur Kinoy and William Kunstler, attorneys known and admired by prison populations for their efforts on behalf of the poor and outcast. Younger lawyers affiliated with the Center, Stephen Latimer and Daniel Alterman, handled much of the early work in connection with the class-action suit, including the essential task of building outside community support for the inmates' efforts.

The association between the Brooklyn inmates and their lawyers was far more complicated than the traditional attorney-client relationship. For one thing, the prisoners had a pride in their hard-won legal knowledge, and were unwilling to leave key decisions on legal strategies to the sole judgment of the formally trained attorneys. This meant long and frequent conferences at the prison. Daniel Alterman and Stephen Latimer spent months in legal discussions as well as general rapping with inmates. They got a vivid impression of the unity and authority that Wallace and the other class-action plaintiffs wielded in the Brooklyn House of Detention in the wake of the 1972 boycott; they were admitted to the tiers only with the permission of the inmates. In style and bearing, Alterman and the other attorneys working on the suit were far from the hustling white lawyers whom most of the Brooklyn prisoners held in such contempt. Alterman's vocabulary (out of the courtroom, at least) is the very street argot of the prisoners, and his radical sympathies bespeak involvement with the "Movement" of the 1960s. But jive talk and blue jeans would not have taken Alterman and Latimer very far at the Brooklyn House of Detention had they not been able to provide real service to the inmates, mobilize the community support that became so important in this case, and prove their abilities in courtroom confrontations before the critical eyes of clients who were often their peers in legal savvy.

The earliest phase of pretrial maneuvering took place before Judge Jack B. Weinstein of the Federal District Court, who certified the class-action nature of the litigation. This decision was rendered over the objection by the city's counsel that Wallace and others had no standing to sue on behalf of the entire "class" of inmates in the Brooklyn House of Detention. Weinstein also permitted the prisoners to choose their counsel from the Center for Constitutional Rights, with additional legal advice from the American Civil Liberties Union and the National Lawyers Guild.

In November, *Wallace* v. *Kern* was transferred to the jurisdiction of Judge Orrin G. Judd, also of the United States District Court. Judd, who continues to sit in jurisdiction of this case, had previously gained a reputation for judicial independence by holding U.S. military actions in Cambodia unconstitutional, a ruling that was reversed by a higher federal court.

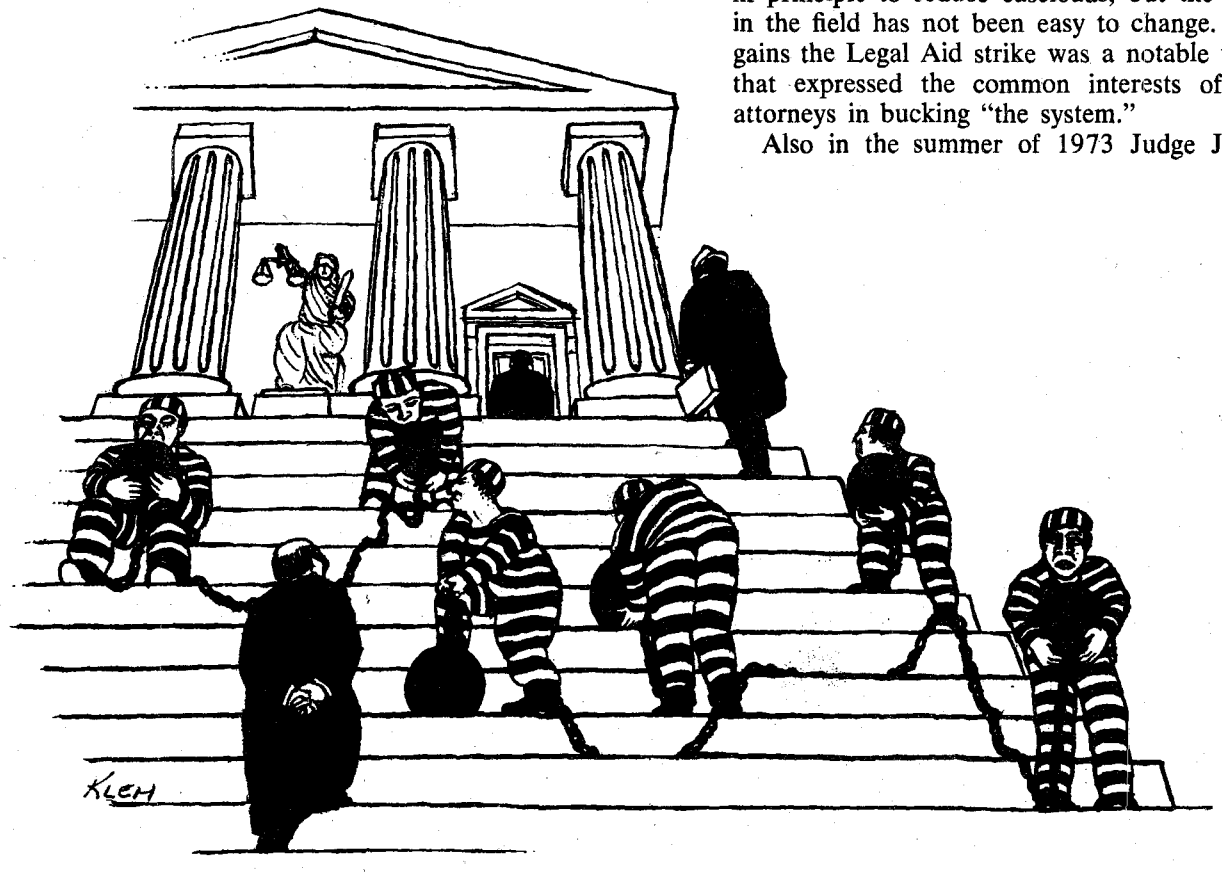
Once the class action was certified, the plaintiffs had to search for effective ways to press their case against the entire criminal justice system of Kings County. They had won from Judge Weinstein an important concession: a court order permitting investigators obtained by the plaintiffs to visit the prison in order to collect individual data on the thousands who serve time there. A citizens' group, the Charter Group for a Pledge of Conscience, consisting mostly of white professionals pledged to fight racism, threw its support behind the class-action suit. Having provided similar services in the Harlem 6 and Panther 21 cases, the Charter Group was ready to swing into action in the fall of 1972. Its members included retired teachers and firemen, students and taxi drivers, airline stewardesses and writers, few of whom had ever seen the inside of a prison until they arrived at the Brooklyn House of Detention with copies of Judge Weinstein's order in hand. Enjoying the amenities of the lawyers' consulting booths (meager, but far better than the semi-barbarous conditions for regular visitors), Charter Group volunteers collected reams of data on bail motions, on what aid, if any, court-appointed counsel rendered, plea bargains offered by the prosecution, and every matter that had been brought up in the original complaint. The attorneys and legal workers at the Center for Constitutional Rights then collated the questionnaires as they arrived, preparing the data for courtroom argument.

Early in 1973 Judge Judd made a number of dramatic preliminary rulings in the *Wallace* v. *Kern* case, and another action brought *pro se* by Michael McLaughlin against the Legal Aid Society for inadequate representation, which was eventually consolidated with the *Wallace* case. Judd held preliminary hearings on these cases at

** The best of these studies is *Criminal Justice* (Quadrangle) by Prof. Abraham S. Blumberg of John Jay College of Criminal Justice of the City University of New York. It gives an extraordinarily clear picture of how aspects of the criminal justice system ostensibly dedicated to the defense of suspects actually operate.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

the Brooklyn House of Detention. Denying the city's motion that the complaint be dismissed, he issued a sweeping preliminary decision finding the Kings County criminal justice system "in a state of deep crisis." He discussed virtually every aspect of Brooklyn criminal justice in his scholarly 57-page decision. Repeatedly citing the U.S. Supreme Court's 1932 decision in *Powell* v. *Alabama,* Judd insisted that the Constitution's Sixth Amendment guarantee of the assistance of counsel had to mean *effective* assistance. Measured against this constitutional standard, Legal Aid representation of indigent Brooklyn prisoners was woefully inadequate. He emphasized lack of continuity in counsel, a common complaint discovered by Charter Group investigators. Assigned a Legal Aid attorney at arrest, defendants often see different lawyers at each successive stage in their processing by the court system. Attorneys rarely stay with their defendants long enough to gain the kind of familiarity with the cases that could result in effective defense. The prisoners' own efforts at defense in the form of *pro se* motions hardly ever got to the court calendar, as the Kings County clerks routinely forwarded them to the Legal Aid offices, where they would be discarded, or filed in the defendant's folder, which amounted to the same thing. Judd struck directly at this system of inadequate representation by enjoining the Legal Aid Society from assigning more than forty cases to an attorney at any one time. He also directed the court clerks to place *pro se* motions promptly on the court calendars. Judd's decision had wide reverberation; suits similar to the *Wallace* action were springing up in many parts of the country, and lawyers as well as inmates carefully followed the Brooklyn action.



Claiming that Judd's orders would clog an already crowded criminal justice system, and insensitive to the constitutional and moral issues involved, the city appealed Judd's order. Within two months a conservative three-judge panel of the U.S. Court of Appeals reversed the order on Legal Aid caseloads. Despite the quasi-official role the Legal Aid Society plays within the administration of criminal justice in Brooklyn (and elsewhere), the Court of Appeals held that the organization was insufficiently "state-related" to come under the governmental regulation in Judd's order. The Appeals Court also held invalid Judd's order on *pro se* motions, on the ground that the plaintiffs had not fully exhausted state remedies before appealing to federal courts. The prisoner-plaintiffs immediately petitioned the U.S. Supreme Court for a writ of certiorari so that the Court of Appeals reversal of Judd's decision could be argued before the highest Court in the land.

While word from Washington on the Supreme Court's willingness to hear argument at this preliminary stage of *Wallace* v. *Kern* was being awaited, two significant developments took place in New York. Emboldened by Judd's decision, and by the prisoners' militancy, attorneys employed by the Legal Aid Society of New York went on strike in July 1973. These lawyers, mostly recent law school graduates, demanded reduced caseloads. Their grievances were sharpened by resentment that the management of the Society had joined the city in protesting Judge Judd's order limiting caseloads. Many of the striking Legal Aid attorneys were willing but simply unable to offer indigent clients adequate legal counsel. The strike was successful; the Legal Aid Society agreed in principle to reduce caseloads, but the actual situation in the field has not been easy to change. Despite limited gains the Legal Aid strike was a notable victory and one that expressed the common interests of prisoners and attorneys in bucking "the system."

Also in the summer of 1973 Judge Judd held addi-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

tional preliminary hearings on the prisoners' complaints that long delays in setting trial dates were yet another violation of constitutional rights to a "public and speedy trial." Judd waited nine months to issue his order on this complaint, but when it came it was something of a legal bombshell. He issued an injunction which would require trial within forty-five days for all prisoners held in the House of Detention for longer than six months. Brooklyn D.A. Eugene Gold blithely remarked that Judd's decision would have "very little" effect on his office, although it could deprive the prosecutors of their considerable power to force detainees into pleading guilty, so that they can begin serving a definite sentence and thus obtain *earlier* release. New York State appealed to a higher federal court against Judd's order, and obtained a temporary stay.

Meanwhile, the appeal against the Court of Appeals ruling overturning Judd's Legal Aid caseload injunction failed to gain a hearing before the Supreme Court. With Justice William O. Douglas filing the lone dissent, the High Tribunal refused to issue a writ of certiorari. Despite setbacks, the Brooklyn prisoners and their legal and community allies are eager to press this case as far as it can go.

Full legal argument on the entire list of prisoner complaints is scheduled to begin in Judge Judd's courtroom later this spring. The plaintiffs hope to establish a strong case then, and possibly win a favorable opinion that can sustain appeal. If they do, the lawbooks will have to be rewritten to take account of *Wallace* v. *Kern*. Even as of now, this landmark case has put a wide range of constitutional guarantees, long ignored for indigent prisoners, on the judicial agenda. The class nature of this suit insures that a victory will not be limited to the interests of Donald Wallace and the other named defendants, or even the hundreds incarcerated in the Atlantic Avenue jail; it offers some promise of bringing the Bill of Rights to bear at last on the conditions of the whole vast prison population in America.

The struggle for constitutional rights in Brooklyn is part of the larger effort to make institutions of government, including prisons and courts, accountable to the people. But the significance of *Wallace* v. *Kern* is not confined to legal questions. Hardly incidentally, the class action suit demonstrates the great value of self-initiated action on the part of a generally despised and neglected portion of the population, whose "behavior" need not be "modified" by penological Big Brothers. The militants in the Brooklyn House of Detention have shown their capability to live in a justly structured society, which for them (and others) is certainly not the United States as now constituted. By their efforts, in conjunction with allies on the "outside," the Brooklyn prisoners are impelling the country's legal system in a more humane direction. □

ALL SHOW, NO GO

LAND REFORM in the PHILIPPINES

BENEDICT J. KERKVLIET

Within days after he had declared martial law for the Philippines in September 1972, President Ferdinand Marcos announced that land reform would be a central feature of his new government. Many times since, he and other officials have reaffirmed this pledge. In October 1973, for example, Marcos said to an audience assembled at an Army base in Quezon City: "The land reform program is the only gauge for the success or failure of the New Society. If land reform fails, there is no New Society." (*Daily Express,* Manila, October 23, 1973.) What has happened, then, with land reform in the New Society? One and a half years of martial law should be long enough to see in what direction reform is headed.

I have been concerned about agrarian reform in the Philippines for several years. When I lived in Central Luzon in 1970, Filipino tenant farmers impressed on me their difficulties and problems. There was a "land reform program" then, too, but for peasants the promises were empty. And in the New Society as well, land reform is all show, but no go. It gets lots of attention in the government-censored press; using public relations standards, you would have to admit that Marcos' program has more "class" than did previous ones. But beneath the promotional antics, the peasants are being fed the same old promises. Furthermore, even if this government somehow fulfilled its promise, little would have changed. The scope of agrarian reform is so narrow and the program includes so many safeguards for the landed elite that, even if it were implemented, the rich would still be rich and the vast majority of Filipino farmers would still be poor.

Land reform under martial law has not turned a single tenant farmer into a landowner. The Marcos government has made much ado about the 144,000 tenants who now hold the "Land Transfer Certificates" distributed by the Department of Agrarian Reform. However, these are not titles; a tenant with a certificate is still a tenant.

No land will change hands for at least fifteen years. That is the period during which tenants who have certificates will be paying for the land and complying with other government-stipulated requirements. Any tenant who receives a certificate from the DAR is charged for the land according to a formula that the government has designed

Benedict Kerkvliet, professor of political science at the University of Hawaii, is at present a Woodrow Wilson fellow in Washington, D.C., where he is writing a book on the Huk rebellion in the Philippines. He is the editor of Political Change in the Philippines *(University Press of Hawaii).*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

with large landowners in mind. That formula per hectare is two and a half times the average harvest during the previous two "normal harvests." Using current rice prices, it works out to about 5,000 pesos per hectare of decent rice land for a typical tenant. Two hectares is a common holding. In addition, the tenant must pay 6 per cent annual interest, plus land taxes and annual fees to the government's "cooperative," and he must plant either rice or corn according to government-approved methods—that is, use high-yielding varieties of seed and the expensive fertilizers, pesticides and other additives that such seeds require.

Some tenants undoubtedly will be fortunate enough to produce enough rice or corn every year for the next fifteen years to pay for the land, meet the agricultural expenses, repay the loans and the accruing interest, feed their families, meet their household expenses, keep their children in school, and pay emergency costs for such things as weddings, funerals or replacing dead carabaos. But history suggests that most of the peasants who hold certificates will not make it. The government has tried to resell large estates to tenants before—for example, the Buenavista estate in Bulacan and the Bahay Pare estate in Pampanga in the 1940s and 1950s—but today most people farming those lands are still tenants. Either they or their fathers were unable to keep up the payments year after year.

My information about household land agricultural expenses in Central Luzon strongly suggests that the situation is no different in the 1970s. The annual expenses of a tenant family of six, for example, farming two hectares of average rice land in Nueva Ecija would include 1,081 pesos toward purchase of the land, 1,300 pesos for agricultural expenses and nearly 2,000 pesos to feed and clothe the family—a total of almost 4,400 pesos. Meanwhile the crop would have brought in only 4,550 pesos. The net earnings, therefore, would be only 150 pesos—very little, indeed, to cover such things as sending a child to high school or paying a hospital bill. Obviously, there is no margin: one bad year, due to poor weather, crop diseases, or any number of other calamities that occur, would cripple such a peasant family for years, if not forever.

Moreover, the "miracle rice" and the "Green Revolution" technique that the agricultural experts are pushing in the Philippines work to the disadvantage of the small farmers. As Marvin Harris has argued (*Natural History*, June-July 1972), "It was inherent in the design of the new varieties of rice that where private enterprise prevails, the rich farmers will be made richer and the poor farmers poorer." There is considerable evidence both in the Philippines and in other Third World countries to support this view. Filipino peasants themselves are skeptical of the new methods, not because they resist change or are somehow "backward" but because they fear the consequences. One tenant in Nueva Ecija told me in 1970, "It is better to plant local seeds and be more confident of having enough to eat than it is to gamble by taking on large loans for lots of fertilizer and so forth to plant miracle rice. The gamble could be lost; then you not only have a poor crop but a big debt." Yet peasants in the Philippine Government's land reform program must use these seeds and methods. Now the chemical fertilizer shortage alone foretells hard times for small Filipino farmers. Affected by the worldwide oil shortage, prices for the required fertilizer more than doubled between 1973 and 1974. Big landowners and corporate plantations, perhaps even some small owners, may be able to absorb such increases, but most Filipino peasants, including those with land transfer certificates, will be unable to pay.

To make matters worse, the land reform program prevents a tenant who has a land transfer certificate from building equity with his payments. If, for example, he pays for eight years toward a piece of land but then decides to quit farming or defaults on further payments, he cannot sell his interest in the land to someone else. Until he has paid for it in full, the land belongs either to the original owner or to the government agency that bought it from him.

As it now stands and even if fully implemented, Marcos' agrarian reform will exclude a large majority of the peasants. To begin with, it excludes tenants who plant crops other than rice and corn—tenants on sugar or coconut lands, for example. Yet those planting crops other than rice and corn account for 22 per cent—or 280,000—of the estimated 1,280,000 tenants in the country. Next, land reform excludes tenants of landowners who plant less than 25 hectares to rice and corn. This, according to the Philippine Government's surveys during the last year, omits roughly 80 per cent—or 800,000—of the estimated 1 million tenants who plant rice or corn. Were the retention limit for landowners dropped as low as 12 hectares, 70 per cent of these rice and corn tenants could still be excluded. The total of these two exclusions—280,000 and 800,000—is 1,080,000 tenants, or 84 per cent of the tenants in the Philippines in 1973. Stated another way, agrarian reform, if implemented, will include only 16 per cent of the tenants.

And the reform program offers nothing to perhaps the largest group of Filipino peasants—the landless agricultural laborers. No one seems to know their exact number, but according to the best figures I can get, they exceed 3 million. They are wage laborers who work on such lands as the 7,800 hectare pineapple plantation of Dole-Philippines in Mindanao or the 6,000 hectare banana plantation of Del Monte's Philippine Packing Co. Some, like the 36,000 sugar cane workers in the Bisayas region, are migrants; most live year around in one place. All have in common low wages and desperate poverty. Wages that were already below the legal minimum before martial law have since then become even worse, because employers frequently disregard wage levels and because inflation reached 30 per cent in 1973.

Another important point about Marcos' much vaunted reform program is that those few tenant farmers who do somehow end up owning small plots of land will still be at or near the bottom of a terribly lopsided distribution of wealth and political power. Even if the present government did break up some big landholdings, it would not destroy the large landowners' position in society, since no wealth will have been taken from them and given to another class. While tenants with certificates are struggling to make annual payments and meet their expenses,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

President Marcos Hands Out "Land Transfer Certificates" to Tenants, December 1972.

the old landowners will be compensated for the land at a good price. In addition, they will get the 6 per cent interest charged to the tenant each year, plus earnings from preferred shares of stock and other benefits that the government allows under its six modes of compensation to these landowners.

Moreover, Marcos issued a decree in November 1972 that exempts the landowners "from the capital gains tax on the proceeds of the amortization paid them by the tenant-purchaser and likewise from income tax due on the accruing interest paid as an addition to the total cost of the land." In short, the old landowners will be, according to a USAID official, "very well compensated; they will end up with more per hectare than just the 4,000 or 5,000 pesos per hectare that the tenants will be paying." These attractive terms are essential, according to officials in both the Marcos government and USAID, "in order to get landowners involved in land reform. It's a *quid pro quo* sort of thing." In fact, Marcos and other officials have stressed that land reform is advantageous from the point of view of large landowners because they can put money that previously was tied up in rice and corn lands into more profitable investments. The result of this kind of land redistribution—if it occurs—is no change. The few landowners who are affected will not "lose" their land; they will sell it for a handsome return that the government's Land Bank guarantees. The rich, in short, will still be rich—if not richer—and powerful, whereas the poor, whether landless or landed, will still be poor.

The fundamental problems with Marcos' agrarian reform are, first, that the government has never intended it to bring substantial changes and, second, that the rich owners continue to resist it and the regime continues to make them concessions at the expense of the peasantry.

Given Marcos' background, one had reason to be dubious about his promises of land reform when he first declared them. He had never championed such reform before. Indeed, as a Congressman in the mid-1950s, he was one of the most vocal opponents of reform legislation. And in the seven years he was President before declaring martial law he did little with existing agrarian reform laws that were practically identical to those he now promotes. He made promises, as other politicians have done, but he never acted on them. A United States AID study said in 1970: "When President Marcos became President in 1966, he announced that he would convert 350,700 tenants into lessees by the end of 1969. As of September 30, 1968 [only] 13,377 farmers had obtained leasehold contracts, and on December 31, 1969 [only] 28,616 farmers had such contracts." Marcos is also one of the largest landholders in the country; he and his family reportedly own 20,000 hectares in Cagayan province, 10,000 hectares in Isabela, the Carlota sugar estate and sugar centrals in Negros Occidental, and several hundred hectares in Davao and other parts of Mindanao. Note that the land reform Marcos boasts does not touch these vast holdings. Meanwhile, reliable reports say that the President and his family now use the courts freely to take the land for themselves from other, mainly small, landowners.

It's also suspicious that the government which claims to be serious about agricultural reform is the same government that has imprisoned many of the strongest advocates of land redistribution. That government has also outlawed peasant organizations, demonstrations and similar cooperative actions. Peasants and laborers are forbidden to strike because, as Executive Secretary Alejandro Melchor explained, "Strikes are a luxury we cannot afford in the New Society." Yet for years, peasant organizations and spokesmen were the principal source for whatever drive existed behind land reform.

Part of the explanation for these discrepancies is to be found in the objectives of the Marcos government. The purpose of land reform is not to redistribute wealth or political power. Nor is it to undermine the oligarchy. The purpose is to give an illusion of social action. The government wants the peasantry, reform-minded people,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and potential critics of martial law to gain the impression that it is doing something to alleviate agrarian unrest. Perhaps most of all, Marcos seeks the favor of benefactors such as the United States Government, which smiles on lukewarm land reform programs of this type, and whose military and economic aid he needs.

It is for these reasons that land reform is so limited. Only a few peasants are supposed to benefit. They will provide evidence that the government is actually doing something, while at the same time, they will have a divide-and-rule effect on the peasantry. This can be especially effective, at least in the short run, when peasants are also forbidden to organize and openly express their objections. The government also wants the land reform programs to be drawn out, in order to keep hopes up and criticism at bay as long as possible. For example, the 144,000 tenants who now have certificates will not know for several years whether they will actually own the land they till. Meanwhile, they can hope and toil. As for the remaining 1 million tenants, they, too, can hope that in the near future land reform will also include them.

A second basic problem is that the landed elite continues, as it has over the years, to resist even meager reform. The opposition is both blatant and subtle. Within weeks after Marcos announced the program, the Department of Agrarian Reform stated that "We have received reports that there are many landowners who are ejecting their tenants in violation of the . . . order of the President." Some landowners forced their tenants to sign on as farm laborers in order to evade the law; others filed "criminal charges against their tenants to coerce them to leave." They used other methods, which the DAR said were "too many to list." Still the violations continued, including, according to the DAR, "physical acts of dispossession like bulldozing farms, demolition and/or burning houses, manhandling, mauling, intimidation, etc." In October 1973, a religious group found that "Landowners throughout the country resist the implementation of the land reform program. There have been numerous accounts of harassments and threats [and] outright evictions of tenants . . . throughout all eleven regions of the country. . . . Politicians and government officials are generally not in favor of land reform." Marcos finally announced Presidential Decree 316, prohibiting landowners from evicting tenants. As recent as January 1974, such violations continued, but there have been no reports that the government has arrested or prosecuted any of these landowners.

More common is the subtle undermining of the land reform program. Large landowners have, for example, been subdividing their holdings among their children in order to get below the 24 hectare retention limit. They have also converted rice and corn lands into sugar cane and other crops outside the program, and turned their land into residential subdivisions. In addition, they pressure local land reform officials to ignore improprieties and to issue administrative rulings favorable to them.

The degree of pressure that large and even medium-sized landowners have exercised can be judged by the concessions that the government has made to them. For example, Marcos' land reform proclamation in October 1972 stipulated that the formula for determining the price of land would be based on the average of three preceding normal harvests. In January 1974, the government revised this to the average of *two* harvests, in hopes that landowners would be more satisfied. The large compensations allowed, the tax exemptions, and other privileges are also concessions to the landed. The President's most glaring concession, perhaps, was to adjust the amount of land that might be retained by one owner. Originally, the limit was 7 hectares; a year later, he revised this to 24 hectares. The reason, he said, was to avoid hurting "the middle class." Undoubtedly a major contingent of the middle class that Marcos had in mind was the military officers who have "small" landholdings. Guadencio Besa, director of Agrarian Legal Assistance, has said: "The landowners must be dealt with with compassion and utmost courtesy." That being so, the Filipino peasant will continue to live on promises. □

REDISTRIBUTING INCOME

WHAT WORKS, WHAT DOESN'T

ROBERT LEKACHMAN

A fresh Brookings study and an inaugural pamphlet on income distribution, issued by New York University's new Center for Studies in Income Maintenance Policy, document between them the gross inequalities of income and wealth in America and the difficulty of doing anything substantial to diminish them. The study is *Who Bears the Tax Burden?* by Joseph Pechman and Benjamin A. Okner; the pamphlet is "Public Policy and Income Distribution," by Winifred Bell, Robert Lekachman and Alvin L. Schorr.

In 1966, the last year for which Pechman and Okner had adequate data, the poorest 20 per cent of Americans had family incomes under $4,038. (Pechman and Okner rely on an expanded concept of family income which takes into account unrealized capital gains and other benefits which accrue largely or entirely to the wealthy. Accordingly they measure even more inequality than is visible in conventional statistics.) Collectively, this fifth received a bare 3.7 per cent of the nation's income. By agreeable contrast, the top fifth, enjoying family income in excess of $16,000, collected 47.9 per cent. Still better off were the upper 5 per cent who amassed 22.1 per cent

Robert Lekachman, Distinguished Professor of Economics at Herbert H. Lehman College (CUNY), is the author of Inflation: The Permanent Problem of Boom and Bust *(Random House).*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

of the nation's product. And blessed above all other mortals were the most affluent 1 per cent, whose income exceeded $56,667 and whose percentage of the take was 10.5. After eight years of inflation, all the numbers are much larger, and it is almost equally certain that five and a half years of Nixon have increased the financial gap between top and bottom Americans.

The badges of inequality are depressingly pervasive. In 1964, ten years after *Brown* v. *Board of Education*, the median income of black families was 54 per cent of the white median. Although this disgraceful number edged up to 61 in 1970, it slipped in 1971 to 60 and will unquestionably drop still further during the current recession, the second of the Nixon era. In 1959, 11.3 per cent of the poor women who headed families were unemployed. By 1971 the rate had leaped to 19.9 per cent.

For an egalitarian, taxes are another disaster area. Long before Richard Nixon instructed his countrymen in the opportunities available to ingenious Presidents, the American tax system was an identifiable national disgrace. Pechman and Okner show that "effective tax rates are flat for virtually the entire population; they rise only in the very lowest and highest percentiles." As perhaps their only common experience, the very rich and the very poor share the privilege of paying higher taxes than the rest of us.

After forty years of New Deal, Fair Deal, New Frontier and Great Society, why is there still so much poverty, social inequity and maldistribution of income and wealth? Brooding upon such questions as these, Winifred Bell and her associates render sharp judgment upon what succeeds and what fails as national social intervention in a conservative society. Since the 1930s, the two most effective anti-poverty policies have been full employment and Social Security for the elderly. In neither instance did Congress or various Presidents profess a concern particularly for poor people. Full employment diminishes poverty and inequality because tight labor markets increase the earnings of blacks, young workers and women more rapidly than earnings in general. Conversely, recession takes its heaviest toll of these particularly vulnerable groups. On the relatively few occasions when the American economy has operated at something like its maximum capacity, the explanation is to be found in military necessity or the private hunt for maximum profit. Full employment has accompanied either wars or unusually vigorous business cycle expansions. However, it scarcely needs to be said that blue- and white-collar workers have as vital an interest in high rates of general employment as do their poorer brothers and sisters.

Still more interesting as an instance of a program whose constituency and appeal are very nearly universal and whose effect upon the alleviation of poverty is both incidental and substantial, are the pensions paid by the Social Security Administration to the elderly. Enacted in 1935, the Social Security Act was conceived to alleviate the insecurities of common human conditions. The steady liberalization of benefits under the program attests to general popular approval.

Social programs that are generally perceived as universal in coverage tend to flourish in public favor and grow in financial outlay. By grim contrast, efforts to help minorities, unless they aid wounded war veterans, the blind, or the victims of tornadoes and earthquakes, arouse fierce opposition; survive, if survive they do, in perpetually desperate financial straits, and afford standing temptation for exploitation as succulent political issues by conservative demagogues. A striking illustration of the usual fate of the selective program is the trials of welfare. Aid for Dependent Children (AFDC), like old-age benefits, began in 1935. The contrast in their popularity is instructive.

Social Security is "good," partly no doubt because of benign association with insurance but mostly because the middle-aged see that prospective monthly check as their major hope of escape from financial dependency, and because their children welcome the shift from their shoulders of a potential filial need to support the old folks. Too often AFDC is harshly judged to be a subsidy to lazy and immoral and probably black second-class citizens. Capitalizing upon this sentiment, politicians have repeatedly advanced their fortunes by campaigns against mythical multitudes of welfare loafers.

A more recent selective program points the same lesson. By common agreement, the Legal Services Program of OEO is the outstanding success of the war on poverty, yet its fate remains uncertain. The explanation is easily available. By expanding the rights of rural migrants, Indians, welfare clients and public-housing tenants, the poverty lawyers have earned the resentment of politicians and bureaucrats, local and national, whose discretion has been narrowed and whose conduct has been challenged. Selective programs usually fail, and when they succeed, their path is still exceedingly precarious. One tactic of survival for the legal services program might be to broaden its clientele to include the nonpoor working class.

Specialized programs which endure either serve groups of generally agreed merit, like veterans, or they attach themselves to values which are more universal than the programs. That is the case with job training. Although manpower development efforts have placed few people in jobs for which they are qualified by their new training, Congress and Presidents continue generous funding for such projects. After all, job training reinforces the work ethic, holds out the lure of removing people from welfare rolls and adding them to payrolls, and does in the end create *some* jobs, most of them for the trainers rather than the trainees.

These lessons of social policy in a conservative society can be applied to the negative income tax (NIT), a favorite innovation among economists because it combines efficiency and maximum freedom of choice. The defining NIT features are two: a basic cash grant and a tax on earnings. A grant of $1,500 per person would confer an income of $6,000 on a family of four. If the tax on

THE NATION

The 108-year-old magazine still ahead of its time.

See Subscription Offer on Back Cover of This Issue

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

earnings were 50 per cent, the tax authorities would recover the $6,000 when family earnings from the job or jobs of its members reached $12,000, but the family would still be subsidized to the extent that they would return the $6,000 and pay no tax on the earned $12,000. Taxes on family incomes, grant plus earnings, above $18,000, would sharply rise. If a family's total income fell below the $18,000 mark, it would keep a diminishing percentage of the grant. An infinite number of combinations of basic grants and tax rates is available to satisfy austere or altruistic tastes.

NIT promises efficiency because it trades cumbersome state and city welfare administrations for the more efficient IRS bureaucracy. Better still, it allows NIT beneficiaries to spend their income supplements exactly as they please. Any economist in the land will gladly demonstrate that cash grants increase individual welfare more than do their equivalent in goods or services.

Yet NIT has encountered disaster in both conservative and liberal variants. Urged on by Patrick Moynihan, President Nixon during his Disraeli phase advocated a Family Assistance Plan (FAP) which combined meager cash grants, taxes on additional earnings and strong work incentives. Although the plan was bathed in work ethic bathos, it amounted to replacement by NIT of the present welfare combination of money, surveillance and services. Inevitably liberals assailed FAP because in the more generous Northern states benefit levels were substantially below existing welfare standards, and also because FAP eroded or destroyed painfully won due process protections, among them a right to fair hearing *before* termination or reduction of benefits. As for conservatives, their goal was not to enlarge total benefits to the poor (as even the ungenerous Nixon FAP did) but to reduce them.

Conservatives and apparently a public majority defined FAP as a selective program calculated to help a lot of unworthy folk who merited much harsher treatment. As Winifred Bell puts it, "Selective programs result in confusion, contradiction, and serious adverse consequences for families, while universal programs tend to prosper."

If anything, NIT fared even more calamitously as a liberal offering. Senator McGovern's 1972 campaign version embodied a flat $1,000 per capita grant and a graduated tax on earnings. Families whose combined income from grants and earnings totaled less than $12,000 stood to benefit either from cash subsidies or tax remissions. Families above the $12,000 line faced the certainty of higher taxes. At 1972 income levels, the richest one-third of Americans would have transferred some of their income to the remaining two-thirds. Is that device selective or universal? As one recalls the disasters of 1972, it is plain that the public almost instantly concluded not only that McGovern's calculations were less than impeccable but also that the grants amounted to a selective subsidy to the unworthy poor, and was not a proposal whose benefits would flow to the lower-middle and working classes.

Very likely the turning point in George McGovern's political fortunes occurred before his nomination, at that moment in the first of the McGovern-Humphrey debates in the June 1972 California primary when Humphrey assaulted his rival's proposal as a welfare giveaway and McGovern failed effectively to rebut the charge by explaining that it was really an income redistributive scheme calculated to help two-thirds of the population. Added to McGovern's unfortunate initial expression of 1,000 per cent support for Senator Eagleton, the $1,000 per capita grant was lethal to Democratic fortunes.

What then is to be done? In its extreme American version, inequality is not only grossly unethical, it is also politically dangerous to a healthy democracy. The shenanigans of CREEP were facilitated by the concentration of vast sums of cash in the hands of a very few wealthy individuals. Politics at all levels are distorted by the desperate financial necessities of Democrats and Republicans eager for office.

That is common wisdom, yet nothing in American experience holds out much hope for a genuinely and avowedly redistributive policy. Average Americans are neither especially hostile to the rich nor particularly friendly to the poor. How should Edward Kennedy, Walter Mondale, or some as yet unidentified liberal Democratic paladin conduct a winning 1976 Presidential race?

Presumably those policies will win the public heart which are most nearly universal in their promise of benefit. Heading the list, then, is genuine full employment, probably realizable only with the assistance of a permanent federal guarantee of jobs. Day care of the generous variety sponsored by Walter Mondale has advantages for working-class and middle-class families as well as the poor. Flat sum enlargement of Social Security benefits gives something to everybody, but relatively more to the poor. Percentage increases across the board are a poor second best. Medicaid's stormy passage by itself implies the desirability and superior political feasibility of universal health care, preferably in the version advocated by Senator Kennedy. Finally, tax reform is probably more feasible in the near future because of Watergate than at any time since the early New Deal.

Here a word of caution: previous tax reform crusades were frustrated by the effective resistance of the rich; the inability of the unlearned to grasp the insane, eye-glazing, mind-benumbing complexities of the Internal Revenue code, and the propensity of reformers to indulge in inflammatory soak-the-rich rhetoric. The wealthy will always resist a restriction on their privileges, but something can be done to remove the other obstacles to change. McGovern and Mondale are currently sponsoring a tax reform simple enough to attract and keep public attention —a demand that every taxpayer pay taxes on at least 50 per cent of his gross income. Such a requirement, though redistributive in its effects, can and ought to be couched as a cry for equity, a universal and unifying value.

None of this is particularly radical. Enactment of all of these proposals would leave the United States safely behind England and still further to the rear of Scandinavia and New Zealand. Given my preferences, I would go much further, particularly in tax policy. But on the premise that something is better than nothing, and that a liberal Democrat will be an improvement upon either Nixon or Ford, the hard lessons of social policy in the United States suggest that, unless there were an unexpected public turn to the Left, such a program is about all that is politically feasible. □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

RESERVE MINING'S BIG SEWER

THE BATTLE OF LAKE SUPERIOR

QUINCY DADISMAN

Milwaukee

Environmentalists think they may have won the biggest battle in their longest war, but that war isn't over yet and meanwhile a new war is ready to break out in the same area.

¶The battle was won at 12:01 A.M., Sunday, April 21, when the mile-long taconite processing mill operated by Reserve Mining Co. at Silver Bay, Minn., shut down on order of U.S. District Judge Miles Lord.

¶The war, now seventeen years old, isn't over yet, because Reserve immediately opened a legal counterattack. By April 23, it had persuaded a three-judge panel of the U.S. Court of Appeals for the Eighth circuit, to let the company resume operations until May 15, when the court will hear Reserve's motion to stay Judge Lord's ruling until an appeal of the entire complex case can be heard.

¶And the new war will break out soon over plans by International Nickel Co. to build a copper and nickel mine and nickel smelter near Ely, Minn., about 15 miles from the mine which supplies Reserve and just outside the Boundary Waters Canoe Area, the only extensive wilderness region in the eastern half of the United States.

Reserve Mining Co. is owned equally by the Armco and Republic Steel Companies. It uses taconite, a gray rock found over a wide area of the northern Midwest. The taconite processed by Reserve is about one-third magnetite—magnetic iron ore—and two-thirds silicates—sandlike minerals that become waste after the magnetite is removed.

Taconite is dug from the ground, crushed to the consistency of coarse sand, mixed with water and passed over magnets. The iron particles cling to the magnets, are carried to kilns where they are mixed with coke and formed into pellets about the size of large marbles. The waste silicates remain in the slurry. The pellets are shipped to steel mills where they are used as a high-grade furnace feed.

The first pilot plant to experiment in processing taconite was set up just outside Babbitt, Minn., in 1939. Over a couple of years, it produced about 1,000 tons of ore. But by the time Reserve took over in 1947, it had become apparent that processing on a large scale was impractical at Babbitt because there isn't enough water there and no low area for dumping the waste tailings. Accordingly, Reserve decided to build its processing plant at the edge of Lake Superior, then the largest body of fresh water in North America, thus getting both a good water supply and a transportation route to the steel mills. A 47-mile railroad was built to haul the ore from Babbitt to the lakeshore at Silver Bay.

The high-density current phenomenon, which had just been discovered at Hoover (then Boulder) Dam, would be used to get rid of the tailings. A high-density current—water colder or containing a high percentage of solids—tends to plunge to the bottom when spilled into a standing pool. At Silver Bay, Reserve engineers figured, the current would carry the tailings to the bottom of a 700-foot trench a little more than a mile offshore.

Most residents of northeastern Minnesota welcomed Reserve when the company started operation in 1956. The area is sparsely settled, but has been short of jobs for even its few inhabitants since World War I, when modern machinery took over in the nearby iron ore mines. Reserve brought 3,200 jobs to the area, revitalized Babbitt and rebuilt Silver Bay into clean, modern, attractive cities; it helped employees buy homes. Reserve set a pattern with these employee-owned "company towns" that later taconite ventures have followed. People in Babbitt and Silver Bay proudly tell visitors, "Reserve was the pioneer."

At first, the only sour note came from commercial fishermen on Lake Superior. They claimed the high-density current wasn't working as expected and that "green water" was fouling deep-water spawning beds from Silver Bay to beyond Two Harbors. However, there are only a few fishermen along the North Shore and they drew little attention against the background of prosperity that Reserve brought to the area.

The discolored water around the two flumes used by Reserve to discharge 67,000 tons of tailings daily could be seen clearly enough from the air. Company spokesmen, especially Edward Smith, Reserve's public relations chief, often pointed out that similar green water was to be found off the mouth of every North Shore tributary stream. However, during the mid-1960's, environmentalists demanded with increasing clamor that a federal-state enforcement conference be held on the question of cleaning up Lake Superior.

Under federal law at that time, an enforcement conference could be called only at the request of the Governor of an affected state, unless the Secretary of the Interior had evidence of interstate pollution. None of the three Governors, of Michigan, Wisconsin or Minnesota, would ask for a conference.

A controversial Interior Department report prepared in early 1968, but never officially made public, accused Reserve of polluting the lake. Outgoing Interior Secretary Stuart Udall did not issue a call for a conference until three days before he left office as a member of President Johnson's Cabinet. Meanwhile, the report was leaked and became a center of dispute.

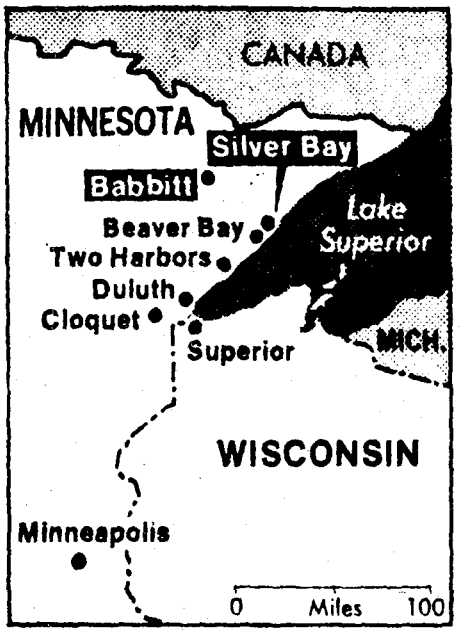
The report implied that Reserve's discharge was affecting Wisconsin and Michigan portions of the lake. However, it was another year before federal scientists felt they had evidence of the tailings from the lake bottom in Wisconsin and even later before they were detected in Michigan.

Quincy Dadisman writes on environmental subjects for the Milwaukee Sentinel.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The enforcement conference convened in May 1969, in Duluth. It concentrated on pollution problems around the Twin Ports, Duluth, Minn. and Superior, Wis., and called on Reserve to work out a way of dumping the tailings on shore. Three subsequent sessions repeated the call on Reserve to work out alternative disposal plans. The company came up with ten different proposals; then, on economic grounds, ruled out all that did not use the lake for waste disposal. Environmentalists seized on a plan that would haul the tailings 600 feet uphill to Lax Lake, about 20 miles inland, and dispose of them in stilling basins there. They demanded that Reserve put it into operation. Meanwhile, the Minnesota Pollution Control Agency (PCA) challenged Reserve in the state courts. After a six-weeks trial, neither side could claim a clear victory, although Reserve seemed to have won on points.

The final session of the Lake Superior Enforcement Conference ended when the Environmental Protection Agency (EPA) issued a 180-day order against Reserve. Under such an order, an alleged polluter has six months to work out a solution acceptable to EPA or face a federal



New York Times

court. When the six months were up and no agreement had been reached, the government sued. The three states and several environmental groups joined the fight, which opened on August 1, 1973, before Judge Lord in Minneapolis.

A month before the trial opened, EPA had announced that it had found asbestos in the water in western Lake Superior and believed that it came from Reserve. Amosite, the kind of asbestos found in the water, is a part of cummingtonite, which in turn is a constituent of taconite. It has been associated with respiratory cancer in asbestos workers. Residents of Duluth and Two Harbors, which are "downstream" from Silver Bay as the current moves along the North Shore, were warned against drinking water from the lake. Bottled water sold well in both cities and welfare recipients were given an extra allowance to buy it for children.

Most of the eight months of the trial were devoted to a parade of distinguished scientists from all parts of the world, who talked about asbestos. The gist of their statements: asbestos fibers of a certain length cause bronchial cancer when inhaled. No one is absolutely certain whether they cause intestinal cancer when taken by mouth. The scientists disagreed on the probabilities. Those the government called generally felt it likely that the asbestos would cause health problems if ingested; Reserve's witnesses believed it would not.

On April 13, the final day of testimony in the trial, Dr. Arnold Brown, a Mayo Clinic pathologist called as an expert witness by Judge Lord, analyzed the evidence. He said that asbestos fibers can cause cancer; that they are present in Lake Superior water; that there are large gaps in scientific knowledge of the health effects of asbestos; that there's "no evidence one way or the other" to show any link between asbestos in the water of the lake and "any past or present human disease"; that tests of human tissues from Duluth residents did not indicate the clear presence of asbestos fibers and that he could not predict adverse effects from the presence of the fibers in the water. Having said all that, he added that he thought it better to prevent a public health hazard than to do nothing.

That last remark seemed basic to the Judge's decision. He said he believes the fibers are a "very substantial public health menace." He said that Reserve must halt its discharge to the lake and that the plant and mine must remain closed until the company is in compliance with Minnesota water and air quality standards, generally considered tougher than federal rules. (As noted earlier, Reserve had an answer to that.)

The Judge also ordered the Army Corps of Engineers to provide safe drinking water for five communities—Superior, Wis., and Duluth, Two Harbors, Beaver Bay and Cloquet, Minn.—which draw their water from Lake Superior. He said he would rule later on what fines will be charged to Reserve and who will pay for the water treatment plants.

William Verity, president of Armco, offered to have Reserve start construction immediately of a land disposal unit if allowed to continue operation. Judge Lord called that idea "preposterous" and labeled "absurd" a suggestion that he ask the state and federal governments to help pay for it. He said Reserve makes 90¢ a year on each dollar the two steel companies have invested in it and can easily afford the $180 million to $200 million needed to dispose of the waste on land.

Reserve officials noted that the Judge's decision would throw 3,200 employees out of work at Babbitt and Silver Bay, threaten the jobs of another 93,000 who work in the two firms' steel mills in the states of Ohio and Pennsylvania, and interrupt 15 per cent of the country's iron ore production.

Last summer, some Reserve employees said the quality of the ore was falling off and that if it were ever closed, the mine probably would not reopen. Company spokesmen would not speculate about the future of the mine, but said they were blending streaks of poor quality ore with better ore at the mine to keep production uniform. They profess

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

to believe that there is at least a forty-years' supply of ore in the mine.

International Nickel's plans were revealed in discussions with a Sierra Club attorney—discussions that some club members believe were initiated to determine what reaction can be expected from environmental groups when the company applies for mining permits.

The area chosen for two mines and a smelter is just outside the Canoe Area and, to many environmentalists' horror, upwind from the wilderness. An International Nickel Co. smelter near Sudbury, Ontario, is famous among environmentalists as a source of air pollution. They tell of damage to vegetation from sulfur compounds and trace metals in fumes discharged by the plant. The company has been working to alleviate that problem. Many residents of northeastern Minnesota hope International Nickel will build the mines and smelter. The company has said the project would provide 800 jobs as soon as started and an additional 4,000 jobs when in full operation. □

SHOPPING MALL DREAM WORLD

XANADU IN A PARKING LOT

JENNIFER CROSS

The modern equivalent of Coleridge's pleasure-dome in Xanadu is Sunrise Mall, near Sacramento, or Eastridge, in San Jose, or Woodfield Mall, Cook County, Ill. The more than 14,500 shopping centers that now squat on the urban and suburban landscape range from dreary collections of chain stores, ice-cream parlors and gift shops, to covered malls as mystically lighted as any other house of worship.

For though shopping centers have been much studied as social and geographical phenomena, less attention has been paid to them as purveyors of the religion of affluent consumption—shopping as a way of life—and to assessing the tremendous economic, social and environmental costs involved. In these times of inflated recession, can we afford the myth that shopping is a form of recreation, not to say refreshment? And if it isn't, what will become of the shopping-center dream palaces? Are they already marked for the archeologist's trowel? Not yet, perhaps, but an uneasy wind is starting to blow through the $70 billion shopping center industry.

A lot of shopping is frankly a nightmare. Food prices were up 23 per cent last year, and are still rising. Shopping never has been much fun for the poor, the elderly or the unemployed. Shortages as well as astronomical prices are giving a wry twist to our national pastime. We have had the great toilet paper caper, and another 12 to 15 per cent rise in paper prices is in prospect with the lifting of wage-price controls. Clothing has risen 3 to 15 per cent, with wool now in the cashmere and vicuña category. Wholesale buyers of hardware, lumber, housewares, plastics and furniture have been griping for months: suddenly the scarcity has overtaken us. Where did the good things go? They couldn't all have been shipped to Japan. And *why* is everything so expensive?

One contributing factor to the runaway retail costs is precisely the proliferation of those total environments of salesmanship that can survive only by reinforcing the notion of shopping-as-fun. In many ways the process parallels that of the food industry, when after World War II a rash of supermarkets was built to exploit the booming suburban market. Stores then got bigger and fancier, with seductive lights, enticing music and rustic décor, as they competed with one another; then indulged in expensive promotional battles as competition really hurt. Every step added permanently to the price of food. At the moment, shopping centers are approaching phase three of this "wheel of retailing."

Building a dream palace is expensive, and getting more so all the time. Labor, construction materials and interest rates are at a premium, while developers expect a 15-to-25 per cent net profit on their investment. Land is like gold, and the hunt for suitably large sites is leading developers further into the hinterlands. Centers are also growing larger; half of them now occupy sites of 200,000 square feet or more. This in turn boosts construction costs, reduces sales per square feet and creates the familiar wasteland of parking lots (5.5 spaces per 1,000 square feet of gross leasable space).

Costs also rise as developers try to excel one another in architectural astonishments. Woodfield Mall, Ill., the nation's largest shopping center (191 acres), built two years ago for $90 million, is a striking multilevel, multicolored complex, embellished with carpeting, sculptures and a waterfall. Sunrise Mall is equally dressy, with its recessed hexagonal ceiling lights, reflector fountain and tiers of hexagonal seats in bright ceramic tile. Olde Mistick Village, Conn. is a $3 million re-creation of an 18th-century village, so authentic that diners at Howard Johnson across the road sometimes mistake it for a museum. The total building costs are hard to compute, but *Shopping Center World* estimates that at Mystic the lighting and décor *alone* cost $35 a square foot. Naturally the developers pass this along in the rents.

Once built, a dream palace is expensive to maintain and a great waster of energy. Many of the newest ones are in fact covered malls, artificially lit, air-conditioned, warmed or cooled, cleaned, Musaked, and open seven days a week nearly the whole year round. Sophisticated consumers dislike plastic greenery, so the trees and shrubs are real;

Jennifer Cross is a British free-lance journalist, now living in San Francisco. She is the author of The Supermarket Trap *(Indiana University Press).*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

they must be groomed and watered and periodically replaced. Shoplifting being what it is, security precautions cost plenty. Add to this, heavy advertising and promotion budgets, and the rents zoom—they are up some 50 per cent in the last five years—even when maintenance is billed separately. The frills add to the cost of doing business and it must be recouped from the devout spenders.

Shopping centers are usually successful while they are new. That doesn't mean they give consumers a price break, merely that they make higher profits for the developer and the tenants, especially the big chain stores that are known as anchor tenants. The key to their success is the succession of marketing strategies which continually promote shopping-as-fun.

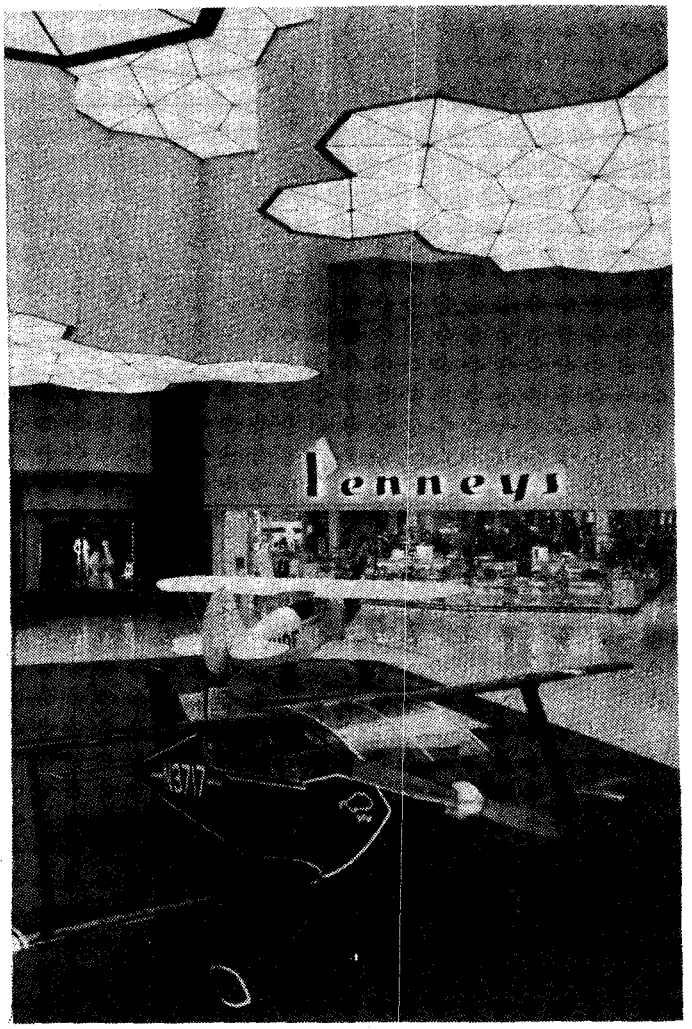
Volume is everything: what shopping centers dread most is to give a party and have nobody come. To build traffic, centers must be as alluring as possible, well located, and with a carefully chosen mix of tenants. They must also be vigorously publicized. A promotion manager who is doing his job will arrange a happening a week, often with some community involvement—flower, antiques, cars or craft shows, rock concerts, an Easter egg hunt, a Boy Scout jamboree. A good promotion will increase sales at least 10 to 30 per cent. It may even hit the jackpot, like the 1972 British Trade Week at a Costa Mesa, Calif. shopping center, which brought sales increases of up to 600 per cent for an outlay of $25,345.

Once in the center, people are often carried away by the joy of it all to spend much more than they can afford. Everything seduces the buyer into prolonging his shopping trip. A few shopping center managements employ consultants to advise their tenants on the fine art of merchandising, which means impelling people to buy on impulse. The owner of a children's clothing store in San Jose's Oakridge Mall had her store worked over by the developer's management consultant, and her head filled with tips on customer psychology. One month later, her sales were up 186 per cent, because "We made it fun for the customer to wander around the shop, from display to display, from idea to idea, from 'oh' to 'ah.'"

Oh-ing and ah-ing all over the place is certainly a witless way to shop. It is the antithesis of the *Consumer Reports* approach, which has had limited appeal, even among the bright, thrifty, upper-middle classes, because it involves time, work and the cultivation of a hard, suspicious mind—the antithesis of shopping-as-fun. There is no doubt which approach dominates in Middle America; it also keeps our economy where it is, with more than half our GNP coming from personal consumption and nearly half our retail sales transacted in shopping centers.

Shopping-as-fun succeeds for psychological reasons well understood by marketing specialists. Shopping is an expression of power, and therapy for depression and guilt. More universally, it is an attempt to ease boredom, loneliness and discontent. It is a form of release, succumbed to the more easily from the feeling of unreality that many shopping centers produce with the overwhelming variety of silliness of much of their merchandise.

At a posh center like the Town & Country Village, Palo Alto, you will find rich folks' toys—cocktail and leisure wear, airline tickets, works of art, jade and Hewlett Packard calculators. Lower down the social scale, at Santa Rosa's Coddingtown, there are more popcorn machines, variety merchandise and Polynesian saris. *Everywhere* there are gift shops, greeting-card shops, clothing and shoe stores. You will not find much bread-and-butter stuff like groceries; perhaps not even a drugstore. Such places either can't afford the fancy rents, or do not lend themselves to shopping-as-fun.



Dreamboats at Sunrise Mall

The average shopping-center customer spends seven hours a week on the premises; many regulars are there much longer because they have time to kill, or would otherwise be housebound—young mothers with preschool children, elderly people, middle-aged matrons and, at weekends, families cementing their togetherness by spending money.

Eventually, shopping-as-fun begins to flag, even for the shopping centers. For a while, the arrival of a new center enlarges total retail sales in the area, though at some expense to established centers. Within a year or two, however, *all* centers in the region are hustling for one another's trade, and nearly always at the expense of the downtown stores.

Sunrise Mall opened in April 1972, and within fifteen months was in second place among the seven shopping centers in the Sacramento area. Total regional sales rose,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

as usual, but two older centers lost sales, a third limped along, and the central business district went from bad to worse. While the shopping-center boom is a symptom, rather than a cause, of the death of downtown, each new development is another nail in the urban coffin.

In our economy business never knows where to stop. The shopping-center industry is already complaining of oversaturation, both among super-regional centers nationally, and among all centers in New England, Connecticut, Atlanta and California. In some areas, even one more center could swamp the boat. Yet developers keep right on building them, at the rate of more than 1,000 a year. California, which has nearly 2,000 centers, more than any other state, is currently building or planning at least two dozen more. One new 50-acre center will be located just across the road from Sunrise Mall.

When a new dream palace is in the wind, shopping-center managements have about two years to plan their defense. Some merely increase their promotional activities, but most, particularly the older centers, react like aging beauties. They tinker with themselves endlessly, expanding, remodeling and repainting at a cost of $30 to $40 per square foot. Keeping young and glamorous has been an obsession with shopping centers. And who pays the bill? The tenants, in the first instance, who either do their own face lifting, or are forced to renegotiate their leases. But of course they must recover their costs somehow.

It is too early to say whether the gas shortage will bring the industry to a screeching halt. What if the days of cheap and plentiful gas—or cheap and plentiful *anything*—are gone for good? The most immediate threat to the shopping-center world—aside from galloping inflation and the speculative nature of the game—is the environmental movement. More and more citizens are tired of seeing prime agricultural land ripped up, and quiet suburban homes ruined by highways, cars and pollution. At least Kubla Khan, who girdled twice 5 miles of fertile ground with walls and towers, did not cover the place with concrete. More individuals are bringing lawsuits to prevent, or at least postpone, new shopping centers. In Corte Madera, Calif. last year, conservationists actually forced the recall of the local Mayor because he would not support their objections to a proposed $50 million regional center to be built on a salt-water marsh.

Environmental Protection Agency rules, particularly those on air pollution, are another roadblock. Shopping centers are classed as complex sources of pollution, and by next January must be in full compliance with national air quality standards. Developers must also prove that parking lots in planned new developments are in compliance. Some cities and counties are toying with still tougher regulations, such as parking-lot surcharges, parking bans and restrictions on car travel. One developer grumbled, "Los Angeles could turn into a ghost town."

Behind the environmental movement is a new attitude which sees land as a community resource, rather than a commodity for individual exploitation. This viewpoint is even appearing in some city and county planning departments as "no-growth" policies, and cost-benefit analysis is being used to assess the hidden costs as well as the returns of new development. Publicly, some developers sneer at people's sentimental regard for ducks and fresh air. Privately, many would agree with Tucson developer Roy P. Drachman that "Developers are not just fighting a few neighbors but are in a position of being opposed by the whole nation." The result so far has been to slow down a few shopping-center developments, with the possibility that a handful may even be abandoned as unprofitable. However, the shopping-center industry is fighting back.

A few months ago, *Shopping Center World* reported that the International Council of Shopping Centers was raising a $600,000 war chest, to do research on a possible legal challenge to the EPA regulations, to try to get centers exempted as a complex source of pollution, and to freshen up the industry's public relations image.

One approach, still being tested, is that shopping centers can actually *reduce* pollution, because instead of going to six or eight different stores, people go to one center for all their needs. Somehow this doesn't square with shopping centers' competitive promotion, with the repeated trips people make, often far out into the country, in pursuit of shopping-as-fun.

However, the industry's lobby is already paying dividends. EPA control has been narrowed to the extent of setting the number of parking spaces that will bring a center under agency jurisdiction at 1,000 instead of 250. Also, the EPA's proposal to put a stiff tax on each parking space was dropped, after a national outcry. If that had not worked, the industry considered closing selected shopping centers throughout the country for one day, in the hope that the public would experience intense withdrawal symptoms.

It's obvious that the palaces will be with us for a long while, despite the fact that their life span, in depreciation terms, is twenty-two to twenty-nine years. They represent a tremendous capital investment, and people will not change their shopping habits until they are up against the wall. Shopping centers also serve a growing social need as meeting places for people who no longer go downtown or to the corner drugstore. But we certainly don't require many more of them, and the ones we have could use some improvement.

Greater use of zoning restrictions could help prevent overbuilding; it is commonly done in Europe, and could be effective here if planners more actively mobilized public opposition, particularly among environmentalists, and downtown merchants who have everything to lose from the construction of another center.

Existing centers could be meshed into improved local transportation. In Portland, Ore., for example, a developer was forced to delay the Washington Square shopping center for sixteen months while he redesigned the parking lot and put in a bus system. (He uses double-decker English busses.) A second developer in Ventura County, Calif. worked with the city fathers to reroute and expand the local bus service. He was concerned for his center, of course, but the whole city benefited. Right now, it's not uncommon for senior citizens to be bussed regularly to their local shopping centers. Better public transportation might lure us all from our cars: developers are in a mood to negotiate. □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

BOOKS & THE ARTS

Voices in the Metropolis

ENORMOUS CHANGES AT THE LAST MINUTE. *By Grace Paley. Farrar, Straus & Giroux. 198 pp. $6.95.*

BURTON BENDOW

Grace Paley is a butterfly in winter, a dispenser of sweetness and light in an age that has little use for these commodities. Even her dying father reproaches her for her "jokes" in one of the stories in this collection, and as a last request asks for "a simple story just once more . . . just recognizable people and then write down what happened to them next." And she thinks, "He means the kind that begins: 'There was a woman . . .' followed by a plot, the absolute line between two points which I've always despised. Not for literary reasons but because it takes all hope away. Everyone, real or invented, deserves the open destiny of life." The old man holds up de Maupassant and Chekhov as models, but she seems to be thinking of writers nearer in place and time—Flannery O'Connor, to take an extreme case—who construct "well-made" machines for distilling gloom and grind inexorably toward a last line that is a pall.

Mrs. Paley takes a firm stand against gloom—and for several extra-literary reasons that can be discerned in her work. She is naturally cheerful—trite as that sounds—and, in fact, a born comedienne. She is a comforting woman, aware that "hospitable remarks" can make a great difference in the tenor of life. And, having grown up "in the summer sunshine of upward mobility," as she puts it, she shares in the great American dream, the belief that the world *can* be made a better place to live in. But the way the world wags these days, she has a hard time keeping her spirits up. She tries. And the signs of strain are apparent in her lack of wind—she writes *short* short stories and not many of them—in her tone, resolutely airy or ruefully sincere, and especially in her endings, which seem contrived or tacked on. She knows the importance of a last line in a short short story and, skillful as any poet, she knows how to make it ring. But with a strange effect—as if anxious to ward off pain, to avoid the note of finality, or to free the subject from the shackles of grim fact.

"A Conversation with My Father" graciously gives the old man the last word: "Tragedy! You too. When will you look it in the face?" Tearing off the oxygen mask to say this and grandly exhibiting his character—that of the intellectual Russian Jew—he seems almost to be playing comedy. Near death, he is irascibly alive. Other stories end with a thoughtful question or a wistful affirmation. The heroine of "Distance," after recounting her life, asks herself, "What the devil is it all about. . . ?" The heroine of "Wants," accused by a former husband of never wanting anything, says to herself, "But I do want *something*. I want, for instance, to be a different person. . . . I want to be the effective citizen who changes the school system and addresses the Board of Estimate on the troubles of this dear urban center. I *had* promised my children to end the war before they grew up."

Still other stories end happily ever after, as if a mother were telling them to her children. Mrs. Paley is a mother as well as a daughter and mostly restricts herself to the domestic scene. When she does venture out of the house to address the Board of Estimate, she steels herself against disappointment by virtually crooning a lullaby. All the local mothers petition the city comptroller for a fence around the playground. They sing at him, first in turn and then in chorus, until, like a king out of a fairy tale, he grants their request. And the last line of this piece celebrates the union between motherhood and officialdom. A handsome cop meets a young woman in the playground at night and finds time "to inject her with two sons, one Irish and one Italian, who sang to her in dialect all her life."

The name of this story is "Politics." And it is not motherhood but the political spirit of the 1960s that accounts for the rock-a-bye-baby tone. Many young stalwarts of the New Left were dauntless out of genuine innocence. They did not clearly distinguish between revolution and rhetoric and often had to make do with rhetoric—with chanting slogans, singing folk songs, wearing Mao jackets, growing hair, smoking pot, talking like black cats, and so on. Though they could not change the Great Society, they did change themselves into walking emblems of defiance. And many know-nothing children were able to embrace the new fashion with enthusiasm. But Mrs. Paley knows everything. And when *she* puts on jeans and beads and the rapt expression of a balladeer singing *The Times They Are A-Changin'*, it is always with a knowing smile expressive of a thousand little reservations.

One of her bedtime stories ends with a song written by a young revolutionary: a father begs his son to visit him, in three full stanzas better than anything done by the Beatles but very much in their flippant-sentimental style. And this song "became famous from the dark Maine woods to Texas's shining gulf. It was responsible for a statistical increase in visitors to old-age homes by the apprehensive middle-aged and the astonished young." This warbling is anything but artless. This frail wide-eyed euphoria strikes me as self-induced and, at bottom, disingenuous. The same young revolutionary coins the phrase that serves as the title of this story and of the whole book, *Enormous Changes at the Last Minute*. It is meant to express hope for a race threatened with imminent extinction. And, characteristically, its urgency is compromised by the tongue-in-cheek overtones of hysterical office reorganization.

And yet Mrs. Paley is right to avoid looking tragedy in the face; she knows where her talent lies. It is, if not for comedy exactly, for virtuoso mimicry. I would guess—though she may rise up and contradict me—that the first thing she has in mind when starting work on one of her better stories is a voice. Definitely not a plot which would keep her to the straight and narrow and cramp her digressions, or a situation or a point of view or even a character, but a voice with a particular ring and particular turns of phrase. Out of this voice grows all the rest. Many of her stories are told in the first person by a speaker who casually reveals everything about himself—or more usually, herself. Others consist largely of dialogue with very little in the way of comment. A native New Yorker, she has an unerring ear for the various kinds of city speech. And she enjoys exploring all the neighborhood dialects.

That takes courage, by the way. An anthropologist of local manners cannot

Burton Bendow is the author of a forthcoming book on the postwar Italian cinema, The Revolution Stops for Orangeade *(Grosset & Dunlap).*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

sit closeted with a few chosen friends but must go out to meet the natives. And be prepared for the sort of slings and arrows described in "The Long-Distance Runner." The heroine, the intrepid Paley without disguise, finds that the old Brooklyn tenement where she used to live is now inhabited by blacks. She reproduces their patter perfectly, their appalling ignorance, their suspicion of the strange white lady, their smart-ass insolence, their nitty-gritty stoicism. But it is all skin-deep. She would like to know these people—the story is about her efforts to know them, her unrequited gestures of good will—but all she knows is how they talk.

She does better with blacks living in Greenwich Village—there is less distance to run. "The Little Girl" concerns a 14-year-old blonde runaway and a predatory black dude who picks her up in Washington Square Park, takes her back to a friend's apartment, and rapes her. She is very willing at first and he is very sorry later, for she dies and he "never seen free daylight since." Their talk is recorded word for word but, more interesting than that, their motives are explained and their essential innocence vindicated by the friend who owns the apartment, a shrewd good-hearted old janitor who shakes his head sadly over the follies of youth. It is his story more than theirs. He tells it and, by the musings and emphases of his own talk, he describes a character of the sort rarely found in black militant novels. "I'm too old now to give up my grizzily greasy head, but I sure wish I was a young buck, I would let my Afro flare *out*."

Mrs. Paley also does the Irish and the Jews. And the names are Raftery and Gladstein—not Rafferty and Goldstein—as if to warn us that these are individuals and not Gallagher and Sheen. Dialect in her hands is free of condescending folksiness or the brazen overriding of embarrassment inherent in the racial joke. It is local color, noted and relished and intensified, which serves to paint a portrait. Dolly Raftery has no trace of a brogue, only a sharp tongue from her "mother off the boat." In an 11-page monologue called "Distance," she not only goes on about her life but seems to be living it, continually asserting a fierce independence of the world's opinion, a sovereign contempt. Her wit spares no one, not even her son whom she loves. And least of all her husband's mistress: "a skinny crosstown lady, known to many people over by Tompkins Square—wears a giant Ukrainian cross in and out of the tub, to keep her from going down the drain, I guess." Finally she recalls an early disappointment in love, perhaps intended to explain her acerbity. Well, it is possible that the hot-tempered Raftery would cool down in her 60s and even lapse into nostalgia. But more likely it is the solicitous Paley seeking to "understand" her character or contriving a lavender last line.

With the Jews, however, she is thoroughly at home. There is not a false note in the subtly different speech patterns of her father, her mother, and the formidable Mrs. Hegel-Shtein, president of the Grandmothers' Wool Socks Association —all inmates of the old-age home in "Faith in the Afternoon." When you hear them you almost see them, so vivid are the presences created by their talk. And I cannot leave out Aunt Rosie, heroine and narrator of "Goodbye and Good Luck." This is the first in an earlier collection of stories published in 1959 and called, with Paley airiness, *The Little Disturbances of Man*. It is one of the few pieces without wistful or reflective overtones, and it ends triumphantly. Aunt Rosie, once the young mistress of Vlashkin, the Valentino of the Yiddish theatres on Second Avenue, after a respectable interlude in novelty wear during which she gains weight and he loses his wife, marries him. The distortions of Yiddish-English serve only as a rudimentary grammar for an entirely new language—exuberant, idiosyncratic, incongruously mixing nuggets of practical Jewish wisdom with innocent admiration for Vlashkin and his stage endearments —which she pours out to her niece.

> Lillie, don't be surprised—change is a fact of God. From this no one is excused. Only a person like your mama stands on one foot, she don't notice how big her behind is getting and sings in the canary's ear for thirty years. Who's listening? Papa's in the shop. . . . So she waits in a spotless kitchen for a kind word and thinks—poor Rosie. . . . Poor Rosie! If there was more life in my little sister, she would know my heart is a regular college of feelings and there is such information between my corset and me that her whole married life is a kindergarten.

Many of the sons and daughters of immigrants have struggled to respect parents whom they found grotesque, and have created, out of their troubled loyalty, a comic homage to the older generation. Mrs. Paley would seem to be one of these. Born of relatively urbane parents and bred in the metropolis of Molly Goldberg, she need not make such intense efforts as, say, Saul Bellow or Edward Dahlberg. Still, she finds a vocation in glorifying the accents of a now vanished and slightly fabulous Second Avenue and those of the old-age home. Accents that are now dying and no longer of use to her! For the worst enemy in Mrs. Paley's fight against gloom is not the war or the Board of Estimate. It is change—a fact of God—the disappearance of a familiar milieu, the need to find new material congenial to her, new people, new voices. When she comes on as herself, something is lacking, a certain sharpness of focus. It makes little difference whether she speaks in the first person or the third, disguised as someone called Faith or Alexandra, or whether she tells her own troubles or those of her friends and contemporaries. She becomes a mere sensibility, a succession of moods —breezy, anguished, charming, pensive —a writer of memoirs. But dialect offers her a role to play. She steps into it with a sense of release, she invents business, she improvises in character. She becomes an actress. □

When Everything Was Looking Up

THE ASAHEL CURTIS SAMPLER: Photographs of Puget Sound Past. *Edited by David Sucher. Puget Sound Access. (Box 1400, Seattle 98104). 74 pp. $4.95.*

JERRY GRISWOLD

I have called three places home. Connecticut is my home now and before that it was Seattle. I went back there in 1971, the summer *The Last Whole Earth Catalog* was published, containing Gurney Norman's folk tale about a young man returning to his family homeplace *(Divine Right's Trip)*. Some of the *Catalog* people went on later to found a magazine the title of which implied its interest—*place*. Other people followed the *Catalog*'s example with a regional focus. Dave Sucher did this with *Puget Sound Access* and a group of us published *minding the store* in our region of Connecticut.

I returned to Seattle last summer to find an antique-buying craze that was unparalleled even in New England, turn-of-the-century waterfront warehouses changed into restaurants, and Pioneer Square—the old center of the city that

Jerry Griswold is the former editor of the Connecticut journal, minding the store, *a regional* Whole Earth Catalog. *He teaches children's literature at the University of Connecticut.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

FURTHER TO THE POINT OF MIRACLES

(In Memoriam: *Ramon Guthrie*)

The man has spent a lifetime watching for God. God must appear, or he must speak, in such a way as to reveal himself unmistakably.

And God sees the man watching and yearning toward him.

Oh, but perhaps God cannot make himself visible? or cannot understand what language means for men?

But then the man dies. God believes that the man has reached him at last.

He smiles and says, in God-language: I heard you. I saw you.

But now the man cannot see or hear. God does not understand this.

M. L. Rosenthal

had been abandoned to the famed Skid Road and had long been thought an eyesore by the Urban Renewal team—had become the new magnetic center replacing the hip enclaves of the University district. The attention had turned from place to time. The sons and daughters of the mobile suburban culture that had made their *Völkerwanderungen* in station wagons across De Tocqueville's America-without-a-past were demanding the patrimony of tradition that their immigrant and pioneer forefathers had lost in the congenial sludge of this country's melting pot.

It is happening all across the country. Tom Wolfe calls it "Funky Chic"—all those kids in their sons-of-the-pioneer lumberjacks and Can't-Bust-'em-prole-of-the-twenties overalls—and Earl Hamner, Jr. is giving it to television in *Apple's Way*. For some it was and is no doubt chic, but my Seattle friends used the Islamic term *barakah*. There is a quality that resides in things made by hand, into which someone has woven his life, that is lacking in its manufactured equivalent. It is *barakah*, and it may exist in white-haired elders, in homes that are built by one's own hands, and in a familiar pair of jeans.

The difference between *barakah* and chic is the difference of consciousness behind all of America's flirtations with time and which separates the movie *American Graffiti* from television's *Happy Days*. It is a difference that can be intuited between *The Way We Were* or *The Waltons* and the *barakah* of the folk in Maurice Sendak's and Lore Segal's *Juniper Tree and Other Tales from Grimm* or *The Asahel Curtis Sampler*.

"Sampler" is a word—to rephrase another antiquarian from the Northwest, Richard Brautigan—"that went out of style like an idea or lampshade or some kind of food that people don't cook any more, once the favorite dish in thousands of homes." The photographs of Asahel Curtis that Sucher has assembled, along with prose passages from magazines and pamphlets of the era 1900 to 1915, are like that, and this book appeals not so much to the people who have been a part of the Puget Sound region but the attraction to a time in this country's history. It is an answer to the literate despair of Wallace Stevens' "Postcard from a Volcano":

> Children picking up our bones
> Will never know that these were once
> As quick as foxes on the hill.

The Curtis brothers photographed what was left. Edward, under the sponsorship of J. Pierpont Morgan, photographed what was left of *Indians of North America* in his celebrated twenty volumes. Asahel was a commercial photographer and a legman for Seattle's manifest destiny *à la* Chamber of Commerce. He photographed the future, what was left for us.

These are photographs primarily of people; so many fresh youths in fact, heightened by visions of opportunity and progress, that the pictures swell way beyond *The National Geographic*'s dictum that 85 per cent of all photos must be domesticated by human presence. This is no Sierra Club collection with color plates of those terrifying infinite spaces that dramatize the choice between John Muir's purism and the bulldozer. Asahel was decidedly on the side of the bulldozer, and his black and whites capture the time precisely as *The Last Picture Show*, and without any of the pathos for the past that is found in Edward Hopper's paintings.

Sucher's choice of prose to accompany the photos, from *Harper's Weekly* and other newspapers and magazines of the time, has its fitness and is not without a pointed humor at times. Those were the days the rural counter-culture dreams of, when "a man with nothing save an axe and a frying pan" could live well and a "little work will pay for . . . the other small necessities. The woods and the sea provide food in unlimited abundances." They were the days when people like H.A. Smith would trade information, as they do now in Sucher's Puget Sound Access, about land reclamation.

They were short-lived days and the Chamber of Commerce proclaimed the city's manifest destiny. As a seaport and the hub of five transcontinental railways, the city fathers explained, "Seattle is the link at the western extremity of the new world that will bind and complete the chain [Berlin, Liverpool, Philadelphia, New York, Chicago and the Twin Cities] after a growth of five centuries with the original link in the heart of China." Almira Bailey in a Whitmanesque mood catalogued the city's energy—"Detroit automobiles for the Orient; apples for Europe; fresh loganberries, in ice, for London; and salmon for the world!"—and saw the future: "It is the machine age. And [Seattle] is already flirting boldly with her lover—Industry." The men in motorcars with jaunty caps were already threading their way through gigantic Douglas firs past Makah Indians cutting whale meat.

It was the age when factories were no more than machines made bigger, and businessmen made expeditions to Alaska to buy the city a totem pole. The port became outfitter for those leaving for the Klondike and looked eagerly for their return with gold. Negroes and Chinese handled the labor and laundry. Women were gals working in the salmon canneries for pin money and some at night were suffragettes. These were days of growth and of the novelty of the first biplane's arrival, which the citizens cheered with the slack-jawed amazement of the inhabitants of Gabriel García Márquez's Macondo *(One Hundred Years of Solitude)* welcoming the arrival of the magnet. They were just the days for a civic "booster" like Asahel Curtis.

But after the time of growth and novelty the city settled into an era of consolidation. While steam shovels were at work in the Panama Canal, in Seattle they were digging a shipping canal and engaged in regrading the city's hills, using the dirt to fill in the tidelands for a railroad yard. Schoolmarms like Alice Pratt were gathering orphans together to make them "a little bunch of good citizens." There was a rage for order not only at home (where socialism took the form of a municipal-owned electric company because of the incompetence of the vested interests) but in the world at large, where President McKinley would depend on local shipyards ("we hear but few protests against 'imperialism.' The people like it and are not bashful about saying so").

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

This rage for order would leave a legacy for the future, and Sucher reminds us of that by accompanying Curtis' photograph of the Ku Klux Klan marching in a Potlatch Parade with a quote from The Exploitation and Industrial Bureau of the Chamber of Commerce: "Always a hospitable city, and with a welcome waiting for every visitor all year around. . . ." Beneath a photograph of a golf course we hear the conviction of Seattleites that *this* is the real America. It might require detectives to prevent employee fraud and "do secret service work in general," but it nevertheless was. Boeing might supersede the shipyards or John Wayne might become the new Pinkerton playing a dismissed Seattle cop carrying on his vigilante righteousness in the movie *McQ*, but the legacy of America and Seattle was firmly being created.

What seems odd in retrospect was that there was so little of Natty Bumppo's pastoral dread at the sound of the approaching axes. The romance of the logger overshadowed the fears of denudation of the forest, and pollution was only troublesome insofar as it affected the salmon industry. The Indians still made a "merry picture" in bright calicoes and, though they worked for the breweries gathering hops to "spend their money on red cloth and trinkets," their "wild and jolly faces" were still striking in "their queer camps on the edges of the fields." Asahel Curtis and his fellow boosters had bulldozed roads into a wilderness that they could domesticate with their after-dinner camp sings.

The Asahel Curtis Sampler, consequently, is far more than a coffee-table book, and Sucher includes a bibliography and list of places where more can be learned of the history of the region by those who have gone beyond chic to seek and feel the *barakah*. The consciousness behind the book is sound, but as Wes Uhlman, Seattle's Mayor adds, it requires an equally proper consciousness on the part of the reader. *Barakah* is not something that can be bought or owned like a funky pair of pants made of others' recycled denims. It is something earned which one stands in relation to, "the tradition which is the true mythology of the region"—Wallace Stevens says in his essay "Connecticut"—which "we breathe in with every joy of having ourselves been created by what has been endured and mastered in the past." □

A Proust of the Caribbean

PARADISO. *By José Lezama Lima. Translated by Gregory Rabassa. Farrar, Straus and Giroux. 466 pp. $12.95.*

PETER MOSCOSO-GONGORA

When translation rises above a certain level of competence, the reader can hope to sense the flavor of the original and begin to judge how much of it has been retained. Gregory Rabassa's translation of *Paradiso*, making due allowance for the extreme density of José Lezama Lima's idiomatic Spanish, falls below the level where flavor can be discussed intelligently, and frequently distorts the original in a way that arouses wonder. Large sections have been misunderstood, words misread, idioms translated literally. The cruelest fatality is the author's bold imagery, which is rendered as fact, not metaphor, creating a style that seems a bizarre parody of Lezama Lima's text.

That is particularly unfortunate since the real subject of *Paradiso* is *style*. The grouping of *hautes bourgeoises* Cuban families, their illnesses, deaths, petty preoccupations, are pegs on which to hang a series of elaborations. The triad of young sons growing to manhood, José Cemí, Fronesis, Foción, and their discovery of the subterfuges of Eros, achieves some reality, though less in their human dimensions than as a sort of chess problem. Sensuality and intellectual puzzles, character and incident, the real and the imagined whirl away in the rush of a verbal storm that wishes to concentrate on itself. The lack of stylistic demarcation between the various speakers and the narration is an indication that the aim of *Paradiso* is exaggerated artifice, not verisimilitude. Words are not transparent tools for the creation of the work, but the work itself. This poses the problem of a novel not concerned with its presumed subject, but with sustaining a lyricism of intertwining allegories, none of which is fully decipherable. One remains suspended above the story, viewing it through a prism, a bank of clouds.

With José Lezama Lima's *Paradiso* the battle will be waged between those who feel that elaboration has deracinated and dispersed the characters, the action, the static, tableau-like story, and those who feel the elaboration and story are here one and the same. But the issues will be obscure to the reader of this translation.

Lezama Lima is one of Cuba's leading poets and, one assumes, is attempting here to create a unified vision that would shatter if individual voices, characters, scenes were given a momentum of their own. The characters explain one another in lyrical accounts that establish no identity other than the fantasy of *Paradiso*. Scene flows into scene, apparently for considerations of style only. Cemí, Fronesis, Foción, conversing philosophically on the university steps, are interrupted by a bloody clash between police and students, and the narration rushes on without taking notice, without change in mood. The several deaths in the book are equally rushed through, beneath an elaboration that will not halt its pace.

"A Proust of the Caribbean," Lezama Lima has aptly been called. His erudition, the novel's breathless coda echoing *The Past Recaptured*, the recurrence of temporal images—peeling white-washed walls, white ants, empty patios, the moon, swaying lanterns, silent houses—symbols of death and resurgence, evoke Proust directly. Proust, in the opaqueness of language; in the asthma of the main character, José Cemí, and its visionary consequences; in Boldavina, the housekeeper, a chthonic Françoise, immersed in timeless archetype. In Marcel's asparagus become Cemí's "sweet yolks." In Foción, an adolescent Charlus, and his inversion, accounted for in a manner reminiscent of the "botanical" lesson which begins *Sodome et Gomorrhe* (Foción, unlike Charlus, heading for insanity rather than longevity). In Lima's fascination with homosexuality, precisely his fascination with artifice, the self-created act, out of whimsy, petulance, simple negativity, which flies in the face of the obvious and can blatantly threaten it. Without this suspension of the laws of actuality, Lezama Lima says, art is impossible.

The animism of Proust's harmonious French countryside and the childhood room by the sea becomes a sinister animal in *Paradiso*. One feels in José Lezama Lima, as in the other great Cuban contemporary writer, Alejo Carpentier, the dichotomy between a stylized life of French cultivation, and an island teeming with the gods of the Congo, where venomous lianas creep toward the Flemish tapestries. This contradiction between the chthonic ("A Caribbean Zend-Avesta," as one of the novel's characters puts it), and a cultural refinement achieving the effete is the source of a brilliant Cuban literary renaissance.

The repeated references to Velásquez in *Paradiso* inspire the question of

Peter Moscoso-Góngora is a critic and writer of fiction. His forthcoming book, The Woodstock Hype: Where Have All the Flowers Gone? *is due later this year.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

whether Lezama Lima might not be a painter of profound superficiality. The answer is found in the discussions of Góngora in the novel; it is on Góngora's ground that *Paradiso* ultimately succeeds. As in the case of that great poet, the obscurity vanishes when one grasps the essential intention—that the action is occurring through a shadow, in a reflection, on a tapestry.

Gongorisms abound: the verbal density and the literary conceits are Góngora through and through, as is the pretext of a story, and the erotic passages. These last have achieved a deserved renown; they sustain an astonishing balance between elaboration and subject.

Paradiso must be read as a fable. Judged as a story, it cannot be deemed a success. But even on the novel's own terms, the task of deciphering the final coda may be too much to ask of most readers. A pity. The wonder of *Paradiso* is the rediscovery of the world of words, not as a tool but as an art form in its own right. The rediscovery of an ancient and profound need, the solace of language. The novel's characters remain indistinct, philosophical arguments at loose ends. One has no idea what is occurring contemporaneously in the world outside these pages. Yet *Paradiso* triumphs as a work of pure aestheticism, of absolute digression and linguistic tour de force, in which, as with Góngora, everything is subsumed—sometimes soundly abused—in favor of the word. Strange novel indeed, to have come out of Communist Cuba, unsmuggled, unexpurgated, apolitical, from the pen of the director of the Department of Literature and Publications of the National Cultural Council. □

The truth about Church and State in Northern Ireland...

THE BITTER HARVEST

by Albert Menendez

"This well-done and absorbing study of blood-stained Ulster comes very close to complete objectivity. Menendez shows that, despite protestations by the clergy on both sides—the source of conflict in the six provinces is indeed religion."
—*Publishers Weekly*

$7.50 at bookstores or from
ROBERT B. LUCE, INC.
2000 N St., NW, Wash., D.C. 20036

Saved and Damned by Imagination

A WOMAN IN THE SKY. *By James Hanley. Horizon Press. 224 pp. $6.95.*

ROBERT K. MORRIS

Literary reputations are the sport of time. That is particularly apposite to the career of James Hanley, born in Dublin in 1901, who turned from the sea to writing when he was 30, and became immediately notorious for his *Boy* (1931), an angry novel about the humiliations and indecencies suffered by an adolescent on a merchant steamer. Finally suppressed under British obscenity laws, the book became a *cause célèbre* and Hanley's reputation seemed secure. His popularity reached its flood in the late 1930s and early 1940s with several first-rate novels about the war at sea and at home in England, and with the opening volumes of his Furys saga which traced the generations and fortunes of a lower class, Liverpool-Irish family. And then it ebbed. Though praised for his "importance" by such writers as Auden, Forster, Herbert Read and Henry Green, save for a fierce and respected coterie, Hanley was hardly read in Britain by the 1950s and practically unknown in the States. In 1962, with some twenty-two novels and fifteen books of short stories behind him, and studied neglect before, Hanley published a novel, *Say Nothing*, and abandoned the writing of fiction.

Two years ago, however, Hanley broke a decade of silence with *Another World*. Set in Wales, where he has lived for the past forty years, it is a novel of pursuit and salvation, telling how a minister tries to save a lady recluse from a hell as private and claustrophobic as the room in which she lives. The book proved that Hanley had lost none of his force as a novelist, nor any of his compassion for those marginal people who, whether adrift at sea, terrified in a London blitz, or alone in a small Welsh rooming house, retreat to their own painful fantasies within rather than face the nightmare realities without. Like *Another World, A Woman in the Sky* is also a novel about loneliness and age, about that apathy bordering on the total loss of will power, and about the need to foster obsessions, if not, in fact, about the compulsion to pursue them. But it is a much bleaker and more terrifying book, and one which makes us feel the sting of death even as we witness the desperate uncoiling of life.

The woman of the title is Brigid Kavanagh, on relief, in and out of jail for forty of her sixty-seven years, who lives "in the sky" (on one of the top floors of a welfare state, low-income high rise) and flies through it one night to her death. Hanley begins the novel with reactions to and investigations of the suicide, and then proceeds through time shifts, flashbacks, dream sequences, and straight narrative and dialogue to piece together Brigid's fragmented past, and to follow the aimless present of Brigid's only friend, Lena Biddulph: as truculent, stubborn, bitter, suspicious and cantankerous as Brigid was soft, gentle, naive, pliant and dotty.

Between bar and park bench, park bench and room, room and bar, Brigid and Lena move inseparably, twinned in desperation against the "them" out there, and against the darkness. Brigid escapes the world through drink, and through writing letters to an imaginary son who is a sailor; Lena through Brigid, by doing the letters for her when her hand is shaky with drink, and by "nicking" gewgaws from supermarkets. Neither woman can think of facing the world without the other. But it is Brigid, victimized as often as strengthened by her imagination, who finally succumbs to bouts of morbidity and depression. Hanley is a master at plumbing the rifts in Brigid's psyche; and in some of the best passages in the book, his bedrock naturalism, shot through with a kind of wild and primitive Celtic strain, personifies her breakdown as she is solitary and fearful in her flat one night:

> After the wind came, after the fang in it began scratching under the door. . . . She knew the cold was there, in the stillness, the sound of her own breathing the only anchor in the darkness. . . . The room was dark, the world was dark, and nothing to think about save the door, nothing to listen for save

Robert Morris has most recently co-edited a collection of essays, The Achievement of William Styron, *to be published by the University of Georgia Press.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE BALL FIELD LIGHTS

On August nights,
in little towns you sometimes see
from the Interstates,
bloom

the ball field lights—
domes
of smoky brilliance,
brighter than daylight colors:

figures through wire-mesh on the green,
figures in the plank stands,
a tiny moon
dropping out toward left.

They are
much as we left them—
these orchids of the blue American nights
from which we come.

Robert Wallace

> the tick of the clock, which at that moment, died. . . . The cold was silent as it crept, sought, clawed. . . . Gripping her knees, she rocked gently to and fro in the chair, and fell again, her face to the floor, and the sound of her own breathing was like a wave of the sea.

It is on such a night, when Lena fails to appear because she has been arrested for "nicking," that Brigid goes out into the sky.

Hanley's spare style here, and his long passages of staccato dialogue elsewhere, strip all melodrama from the interplay of feelings, yet leave all emotions naked and still vastly human. There is little sentiment attached to Brigid's death, and even less connected with Lena's "killing time" after it—though there is a good deal of irony attached to the ignorant or misguided who believe that because Lena is a petty criminal she should be watched or locked up, or because she is old she should be pitied, patronized and sheltered. Yet as Hanley attaches no villainy to the first group, he attaches no scorn to the second. Judgments about, as well as sensitivity to, the life of the old have been, in one way or another, numbed by our pandering to stereotypes. And except when the problem of old age "burrows" into our own lives, we seldom give it a second thought.

Those in the novel who do think about it are forced to. There is Lil Winten, Brigid's neighbor, who visits Lena in jail and learns that being a good Samaritan is not what is necessarily wanted. Lil dismays and angers her husband, a decent, hard-working fellow, who is not insensitive to Lena's plight, but detests the disruption it brings to his and Lil's life. There is Mrs. Laurent, the probation officer, who though competent and humane, stands for the "them" whom Lena and Brigid have so bitterly resisted. And there is the minister, Tench, fired by Christian ideals and the beautiful simplicity of Brigid's letters, who is smitten more by faith, hope and charity as a shining spirit than by duty as a reality —and indeed has once fired Brigid from his employ. None of these gets through to Lena to assuage her anger or calm her desperation; unlike her they cannot know that the aged and lonely may still desire to seem strong and independent.

What is even sadder, Hanley appears to say, is that such knowledge may be reserved for the Brigids and Lenas only. What his novel does is try to communicate their vision to us. Like the gestures of the two old women toward each other, *A Woman in the Sky* is a reaching out: not to push down barriers, or to collar the reader with message and moral but to tear away the fabric society weaves about old people, more often concealing their vulnerability than protecting their individuality. □

DANCE

NANCY GOLDNER

On April 21 the Harkness Ballet finished a two-week inauguration of the new Harkness Theatre, and now the question is, who *else* will play there? Certainly the Harkness dancers cannot return in the same condition. Dance companies live by their repertory, and the one just rolled out for us was atrocious. Never was an audience subjected to such a quantity of poor material. In only fourteen performances, the company danced eighteen different ballets, of which only five might possibly have been familiar to New Yorkers who had seen the Harkness Ballet in 1969. As a kind of comeback, with new management and new dancers, the Harkness presented an upside-down version of the New York City Ballet's Stravinsky Festival (twenty-one premières in seven nights): each night of the "Harkness Festival" dragged you down one more notch.

This repertory's formula rests on mismatched sensibilities. In narrative ballets make-believe is turned into graphic realism. Vicente Nebrada's *Sebastian* takes such a literal view of melodrama that the absence of blood after the hero has been stabbed becomes a vital inconsistency. During the scene in which he ogles both a voodoo doll bedecked with swords and his beloved dying by magic of these wounds, the child's question is the only appropriate response: "Why doesn't Sebastian just pull the swords out of the doll?" Brian Macdonald's *The Lottery*, based on Shirley Jackson's story, turns a fable with psychological overtones into an ordinary gang war. Thus for many, many minutes we must watch the victim stumble around the stage, dodging (papier-mâché) rocks hurled (by stagehands) from the wings. Again, it is impossible to resist the literal point of view. You figure out it's the stagehands because during that time the cast must be changing from leotards to pants and dresses. *Firebird*, the one ballet that is actually about magic, is remarkably antimagical. It gets quagmired in décor, while the one scene that ought to be so quagmired, the final wedding, is too short, even though Macdonald, who uses more music than the *Firebird Suite*, could have made it longer. Confusing splendor with numbers, the company gives us three firebirds for the price of one, but only one-third the amount of dancing offered either by the Fokine version, to the complete score, or the present Balanchine-Robbins version, to the *Suite*. With this abundance of production, one plays detective again. How to distinguish the real firebird from the two fakes, called "shadows?" Answer: the real firebird wears gold dust on her shoulders.

The failure of the narrative ballets can be shrugged off because hardly anyone knows how to treat stories and their dance expression in a consistent mode, and because narrative ballet is not this century's important concern. But lyric dance as an expression of music is important, and the Harkness' major distortion—lyricism as soap opera—is therefore especially dangerous. The new lyric ballets were *Ballade*, *Gemini*, *Shadows*, *Bergamasca* and *Memories*, and every one of them (plus *Rodin*, *Mis en Vie* to a lesser extent) is amusical and a sickly vision of lyricism, romanticism and the function of dancing bodies. The most consistent and characteristic pulse of them all is the retard-whoosh alternation, which either bears no relation to what is going on in the orchestra pit or emphasizes those very aspects of Mahler, Chopin, Respighi, or Debussy that could better be counterbalanced. When they are at their worst, watching these ballets is like watching still bodies activated by a camera lens that repeatedly backs up and zooms in.

Composition of step comes in two types. In the first, they are slapped down for the dancers to wander in. A natural offshoot of this parody on watercolor technique is an abundance of lifts. The

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

most thoughtful choreographers use lifts sparingly because it is difficult to maintain life in the woman's muscles when she is held aloft. Lifts are also an efficient time-killer, often a sign that the choreographer is taking a coffee break for so many measures. Since lifts best approximate the wish to soar dreamily among the stars, they are a sure-fire way to ease the audience into a mindless state. Some choreographers can at least manipulate them in novel variations, but the endless spinning in the Harkness ballets is not even clever. I noticed also that the dancers were rarely required to move their feet through fifth position. This may seem inconsequential until one realizes that fifth position is not only a technical contraption that gives ballet its unique turnout in the legs, but is the harness that prevents anarchy. It underlies the differences between wandering around prettily and dancing. It provides for ballet's unique friction between control and freedom and as such constitutes the essential drama of specialized movement.

In the second category, steps are isolated from one another, so that the dancer has time to get from one frozen pose to another without fuss. Once in focus, he or she then primps. This method does not destroy the women, though it precludes learning about their technical abilities and individual style, but it does turn the men into Greenwich Village-type exhibitionists. Thus the love duet for two men, archly titled *Gemini*, perhaps the most explicit declaration of homosexuality yet to appear in the popular dance theatre, is not one mite shocking or novel. *Gemini* is merely a continuation of all the other sentimental heterosexual interludes, except that we are spared pinkish costumes, the Harkness color for lyricism. If anything, *Gemini* gives effeminacy the dignity of its rightful name, but the *macho Percussion for Six Men* only underlines the Harkness Ballet's biggest problem as far as dancers are concerned. *Percussion* is a martial track meet in which the men, in tight pants and soft shoes, "do their stuff."

Designed to knock 'em dead, *Percussion for Six Men* naturally was danced on opening night. The other ballets were *Sebastian, Ceremonials* (not as tawdry as *Sebastian* or *Percussion* but a styleless hybrid of ballet and modern dance with the clichés of both and the virtues of neither) and *Souvenirs*. Not a very gala program for a very gala evening. Todd Bolender's *Souvenirs* is a well-made, well-paced farce about gigolos, vamps, etc. In the 1950s it was a fairly common feature of the City Ballet's repertory. It found its proper place there in congenial comic relief to Balanchine's wit. *Souvenirs* brought relief to the Harkness opening also, but who would have guessed that on that night it would turn out to be the Harkness' best ballet?

All of the repertory's distortions of style extend into the interior of the refurbished theatre, basically a cozy and usable structure. Drama is blood and thunder, lyricism is mush, virtuosity is stunts and interior decorating (of the theatre, not the stage) is a parody of the interior decorator's view of elegance and color harmony. Everything is light blue —walls, carpeting, seats. There is some dispute as to the exact shade of blue; some say it is the blue of the Maryinsky Theatre in Leningrad, which places the Harkness Ballet, at least chromatically, in the great tradition of Petipa and the Russian Imperial age; others claim it is Rebekah Harkness blue, which can be interpreted to mean that Mrs. Harkness makes her own tradition.

WorkingPapers
For a New Society

. . . some ideas on where we go from here

THE ONLY MAGAZINE IN AMERICA . . .

that focuses on positive approaches to social change. What's being done and what might be done. New political strategies. Policy alternatives and ideas for action. Speculation on America's future — and on the future of "the good society." Nearly 100 pages of reports, proposals, essays, and reviews in each issue.

By writers like: Richard Barnet, Richard Flacks, Barbara Garson, Christopher Jencks, Andrew Kopkind, Elinor Langer, Christopher Lasch, Staughton Lynd, Lee Rainwater, Emma Rothschild.

Working Papers, Dept. 3Q, 123 Mt. Auburn St Cambridge, MA 02138

Name _____

Street _____

City _____ State _____ Zip _____

Please enter my subscription for:

☐ 1 year (4 issues, $8) ☐ Check enclosed

☐ 2 years (8 issues, $15) ☐ Bill me

(Please add $4 a year outside North America)

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

What is not blue is white and gold, richly carved and curlicued. A pastry cook would be proud of such handiwork. Sconces and chandeliers abound. Arching around and over the proscenium is a mural of naked dancers. It is called "Homage to Terpsichore," but it is difficult to find her amid the flying nudes and salmon-colored drapery, which mimics the front curtain. One may deduce that Terpsichore is not Mrs. Harkness, a draped figure on the left side of the mural, because she and many other figures are looking adoringly into the distance, where presumably the real Terpsichore resides. If one follows their gazes to the center and top, however, one comes upon an underview of a naked man. Upon several viewings it is still not certain to whom or what homage is being paid.

The background of the mural is blue, a trifle darker than Maryinsky/Harkness blue. The bathrooms are black marble, the paper towels being blue or blue and white. The hangers for the toilet paper are gold, as are the soap dishes and faucets, the latter being in the shape of cupids. Unfortunately some of the cupids had been pinched, rendering it impossible to receive water from the tap. Likewise, it was impossible to see the stage from orchestra seats because the floor is not raked. This will be remedied in time for the theatre's fall reopening, and one may hope that the culprits will have returned the gold cupids. □

THEATRE

HAROLD CLURMAN

It is perhaps because Brian Bedford speaks directly out front to the "mirror" (the audience) and much less rapidly and with less movement than Michael Hordern did in the London production of Tom Stoppard's *Jumpers* that I misconceived the meaning of the play when I reported on it here last summer. I was so fascinated by Hordern's dazzlingly funny characterization that I probably paid insufficient attention to what he was saying. And in this play the words are everything (Billy Rose Theatre).

Stoppard, or at any rate, the play's protagonist George Moore, a professor of moral philosophy, wishes to prove that a belief in the existence of God is reasonable. There is a certain absurdity in this, for, as the professor himself declares, "The fact that I cut a ludicrous figure in the academic world is largely due to my aptitude for traducing a complex and logical thesis to a mysticism of staggering banality."

There may be two Gods, he conjectures. "There is, first, the God of Creation to account for existence and, second, the God of Goodness to account for moral values. I say they are unconnected because there is no logical reason why the fountainhead of goodness in the universe should have necessarily created the universe in the first place, nor is it necessary, on the other hand, that a Creator should care tuppence about the behavior of his creatures."

Furthermore, "nothing can be created out of nothing." I stand with the professor when he says, "There is more in me than meets the microscope," and when he asserts, "I'm not sure the God of religious observance is the object of my faith."

In short, the professor opts for intuition and normal human experience as against the hair-splitting skepticism of the logical positivists and the "radical-liberals." They are both literally and symbolically only acrobats or "jumpers." They are literally so because some of George Moore's university colleagues and several of other callings, all radical-liberals, logical positivists, behaviorists and empiricists, have been organized by Sir Archibald Jumper, the university vice chancellor who is also a psychiatrist, to disport themselves in all manner of gymnastic feats. Archie Jumper is a wily and crass opportunist who happens to be having an affair with Moore's wife, a fact Moore in his maze barely notices, though he suspects it.

Stoppard, like a good Englishman, lets the ironically logical Archie have the last pragmatic word: "Do not despair," he says, "many are happy much of the time; more eat than starve, more are healthy than sick, more curable than dying; not so many dying as dead . . . half the world is at peace with itself, and so is the other half; vast areas are unpolluted; millions of children grow up without suffering deprivation, and millions while deprived and cruelly treated, nonetheless grow up. . . ."

Apart from the fact that Stoppard has made his professor laughably absent-minded, unkempt and generally disorganized in his workaday behavior—Hordern in this respect was much funnier than Bedford—there is little else in the play besides its intellectual argument. He introduces the acrobats for physical animation and Moore's wife, a sex-appealing "actress," not only to point to the professor's practical addlepatedness but to represent the new relativity in morality, or immorality. There is also a pretense of mystery melodrama, as one of the Jumpers (another logical positivist, Duncan McFee) is murdered —it may be by Moore's wife or by Archie. But all this is merely stuff to disguise the play's "talkiness."

Clearly the play, in its humor and in its brilliant writing, in addition to its basic subject, is an exceptional and superior entertainment. But Stoppard impresses me chiefly as a gifted university wit. I cannot take him seriously as an important dramatist. Even his *Rosencrantz and Guildenstern Are Dead* struck me as a deft variation on a Beckett-like theme, and *The Real Inspector Hound* as a nimble jape. He is, to use Samuel Goldwyn's phrase, "a very clever genius."

Bedford has registered a hit as the professor. He speaks well, but I believe he did his best acting some years ago when still unknown in Peter Shaffer's *Five Finger Exercise*. The rest of the company—particularly Ronald Drake as a man from Scotland Yard—perform creditably. Jill Clayburgh has been more or less miscast ever since she appeared in *The Rothschilds*, but she is most shapely and is blessed with beautiful skin. The acrobatic jumpers are no amateurs: they do their stunts with professional aplomb. Josef Svoboda, a Czech, and one of Europe's notable designers, has provided serviceable settings, of which the most striking detail is the front "curtain"—a glass in which the audience sees itself—like the one more suitably fashioned by Boris Aronson for *Cabaret*.

The Circle Repertory Theatre Company (2307 Broadway) sustains its reputation for valiant and interesting work in its production of e. e. cummings' *him*. It is not in the vein most natural to the company—the "local" realism of *The Hot L Baltimore* or *The Sea Horse*—but, despite the formidable difficulties the enterprise presents, their staging of cummings' play is surely laudable.

It takes nearly four hours—Polonius would say, "This is too long"—and Marshall Oglesby's elaboration of stage business, though ingenious and amusing, makes it seem even longer. Essentially a poet's play rather than that of a knowledgeable theatre artist, it still occupies a a distinct and honorable place in the annals of the American stage. First produced in 1928, it anticipated much that many of our young playwrights today are attempting, with less genuineness.

As cummings makes clear, there are apparently two plays in what we see. One is a markedly personal play and another, seemingly less personal, consists of a series of vaudevillesque skits embodying the environment or moral climate in which the writer (the central character) dwells. This person may be taken to be cummings himself in pain-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ful dismay amid the jungle of our civilization, especially as it manifested itself during the 1920s. He was inspired by feelings of utmost tenderness and tormented by the horrendous tumult and fatuity of the time. If his "hero" talks crazy, with a touch of the adolescent and certain intimations of Pirandello it is pretty much as the inebriate cummings himself talked, as if he were trying to thread his way through the impediments of inner disturbance and overstrained nerves without descending to platitude.

This emotional confusion leads to both stylistic and structural discrepancies. The play begins (and in large part continues) as a series of feverish images of a girl undergoing anaesthesia during an abortion. She is "me," who thinks of her lover as "him": they have no other names in the play. But the play constantly shifts its focus; many of the scenes are inconceivable as emanations of "me's" spirit.

The play's purest element is contained in duos of love. They are the most sensitive and touching in American playwriting. Their intimacy and passion, conveyed in an odd exquisiteness of writing, are implied rather than declared. We realize that no matter how much "him" wishes to express his closeness to "me," he is frustrated not only by the fullness of his feeling but by his inability to credit his emotion in a world as obscenely chaotic as the one in which he is lost.

That world is fantastically reflected in comic spiels of commercial publicity in the second and longest act of the "other play." There is, too, an extraordinarily grotesque travesty of Americans in Gay Paree, the paradise of tourists in the 1920s. In another scene, Fascist bombast is lampooned; in still another, evangelical hot air as a solace to the impoverished and hungry—the depression was just around the corner—is scathingly mocked.

But in the end we return to the "unfinished" play which "him" is trying so desperately to write, the play with heartbreak at its core, in which "him" proclaims, "I am an Artist, I am a Man, I am a Failure." In this manner, the play's dichotomy achieves unity. Just so, the play, disjointed and flawed, still breathes with imagination and lyric life.

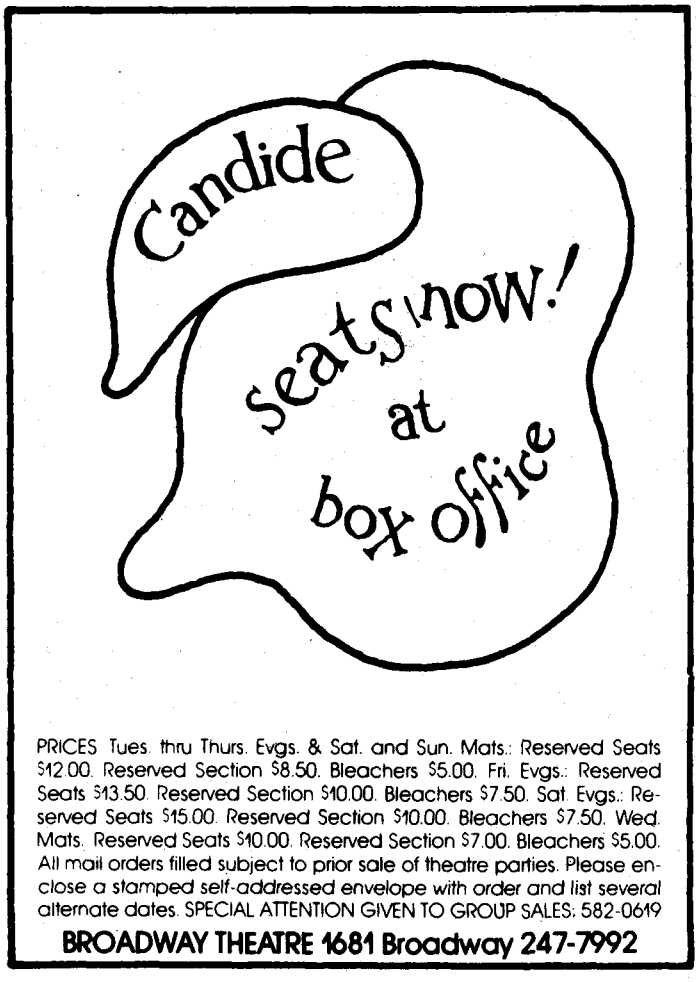
Lanford Wilson, the author of *The Hot L Baltimore*, plays "him." He is no actor, but he knows whereof cummings speaks. Trish Hawkins is easy to look at and seems right as "me." Neil Flanagan does well in a slew of parts, of which some of the speeches are extended enough to exhaust an entire cast. □

MUSIC / Richard Dyer

Michael Tilson Thomas is a frolic program maker, and for the last Spectrum Concert of the Boston Symphony Orchestra on April 11 he yoked together three disparate sorts of object to illustrate his theme, "Three Centuries of Drama in Music." (He repeated the program a week later in New York with his own orchestra, the Buffalo Philharmonic.)

He began with a dance event, the Wendy Hilton Baroque Dance Company at work on Bach's first orchestral suite. The overture was played as a concert piece. Then, after Thomas had delivered some ceremonial thumps of the mace, Miss Hilton's dancers came onstage to execute authentic dances preserved in the Feuillet notation. Most of the dances were for couples, though sometimes with solo interludes; the final *passepieds* were *à quatre*. The movements were a beguiling mixture of the ceremonial and the lively. Thomas had told us to be sure to watch the feet, which was possible with the men—their steps were full of hopping about on the balls of the feet, a lot of bobbing sprung from the knee, a few leg extensions, some holds in position, the arms extended and circling as in tap dancing. The women were apparently doing the same things, but the long dresses obscured movement—or rather the movements of the dresses, the liquefactions of the clothes, took on an interest independent of whatever was going on beneath them.

All this was "dramatic" only in the way that all good dancing shows us something about relationships between people; some critics were also reminded of the elaborate courting rituals of birds. What was of especial interest to me was the way the beats of the dances lay parallel to and athwart the beats of the music, illuminating its rhythmic life. Seeing these dances made me rethink a standard critical observation—although Bach's suites and partitas were written as concert music, critics always comment on whether performers catch their dance-like spirit. I'd done it myself, without having any idea of what a *forlane* or a *bourrée* or a *passepied* actually looked like. (Critics have to be wary of automatic writing. Last fall I found myself



PRICES Tues. thru Thurs. Evgs. & Sat. and Sun. Mats.: Reserved Seats $12.00. Reserved Section $8.50. Bleachers $5.00. Fri. Evgs.: Reserved Seats $13.50. Reserved Section $10.00. Bleachers $7.50. Sat. Evgs.: Reserved Seats $15.00. Reserved Section $10.00. Bleachers $7.50. Wed. Mats. Reserved Seats $10.00. Reserved Section $7.00. Bleachers $5.00. All mail orders filled subject to prior sale of theatre parties. Please enclose a stamped self-addressed envelope with order and list several alternate dates. SPECIAL ATTENTION GIVEN TO GROUP SALES: 582-0619

BROADWAY THEATRE 1681 Broadway 247-7992

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

THE NATION

1973 BACK ISSUES
containing articles of special interest . . . 50¢ each

FEB. 26 . . . THE CASE AGAINST ROY ASH, by Congressman Les Aspin; a horror story dealing with our present Nixon-appointed Director of Management and Budget.

MAY 28 . . . NEW LIGHT ON THE HISS CASE, by Raymond A. Werchen & Fred J. Cook; hitherto unpublished evidence of more flaws in the trial that pushed Richard M. Nixon into the limelight.

JUNE 11 . . . THE TRANS-ALASKA PIPELINE: Unsafe at any Width, by Robert Sherrill; Ecology or oil, which?

JUNE 18 . . . SUPREMACY AND SECRECY, by Wayne Morse; the deeper meaning of Watergate . . . plus **"SOLZHENITSYN — WRITING AS A LOST ART,"** by Emile Capouya

JULY 16 . . . REAL LAW AND ORDER, The Cleanup of New Jersey, by Fred J. Cook; the heroic work of U.S. Attorney Herbert S. Stern.

SEPT. 3 . . . a special issue devoted to Labor, focusing on the coal miners, farm workers and teamsters.

SEPT. 10 . . . WATERGATE AND SURREPTITIOUS ENTRY, by Herbert S. Levine; a study of the dangerous similarities between Hitler's Nazis and the Nixon aides.

20% OFF on orders of 10 copies or more. Please include payment with order.

Write to: Back Issues Dept.
THE NATION
333 Sixth Ave.
N.Y., N.Y. 10014

falling into line to comment on how convincingly masculine Maralin Niska was as Strauss's Composer in *Ariadne auf Naxos.* Of course she wasn't—if anyone ever were it would really be repulsive—but that is what one always says about Composers, Octavians and Cherubinos.)

Next came three melodramas for speaker and piano. The use of a spoken text against a musical background is a form of considerable theoretical interest —and, in the famous examples, like the gravedigging scene in the second act of *Fidelio,* of considerable theatrical effect. Some Greek drama apparently worked this way; experiments with it in Florence wound up as opera; Bette Davis knew all about it. Thomas had three interesting examples—Hamlet's most famous soliloquy, in a romanticized German translation by Heinrich Wilhelm von Gerstenberg which more or less goes along with C.P.E. Bach's C Minor Clavier Fantasy; Schumann's *Schön' Hedwig,* an ironic ballad by Friedrich Hebbel in which the lady tells her knight that since he says he comes from God, she herself will take the veil; and Liszt's setting of a long translation of a ballad by Aleksei Tolstoy, *Der Blinde Sänger,* in which the music, mostly big bowwow stuff alternating with ghostly *tremolandos,* juxtaposes the text as often as it accompanies it.

The trouble with melodramas, as Tovey points out, is that the speaking voice becomes dragged by the music into a sort of out-of-tune sing-along. The technique reaches its full expressive potential when the inflections of the voice are precisely notated as in the repertory *sprechstimme* works of Schoenberg and Berg. Thomas and his speaker, Michael Wager, made as many mistakes as they could: Thomas' piano playing was jangly and harsh, Wager's readings hammy, full of artificially elongated vowels which weren't always the right ones. Worst of all was the attitude of the performers; they seemed unwilling for us to take the pieces or the form seriously. In an interview with Jonathan Cott, Thomas talked about "resurrecting" *Schön' Hedwig*— "It's about a knight talking to a maiden, a super-campy, romantic piece, but the music is really beautiful." The piece is *not* "super-campy," but the trying made it so, what with the candles and the potted palms and Wager in open-necked black with a white Hamlet collar.

After intermission came Cathy Berberian in her newest showpiece, Berio's *Recital I (for Cathy).* The piece begins with Berberian singing Monteverdi's *La Lettera Amorosa,* as if beginning a recital group. But the accompanist is offstage, and soon the singer begins talking, partly to herself, partly haranguing the audience, and fragments from her repertory (which apparently includes the title role of *Rigoletto*) bubble to the surface of her mind. The accompanist wanders in after awhile, and at intervals as the "recital" progresses a rather butch white-coated wardrobe mistress adds ornament to the singer's dress, making her more and more immobile—puff sleeves, streamers, a rope-netted shawl, a black veil with a crown, an imprisoning netted cage splotched with large red tears or drops of blood. The wardrobe mistress dismisses the accompanist and finally leads the soloist, now clearly mad, from the stage as she shrieks at the audience, "why don't you do something? laugh laugh! do something anything oh Lord don't be afraid."

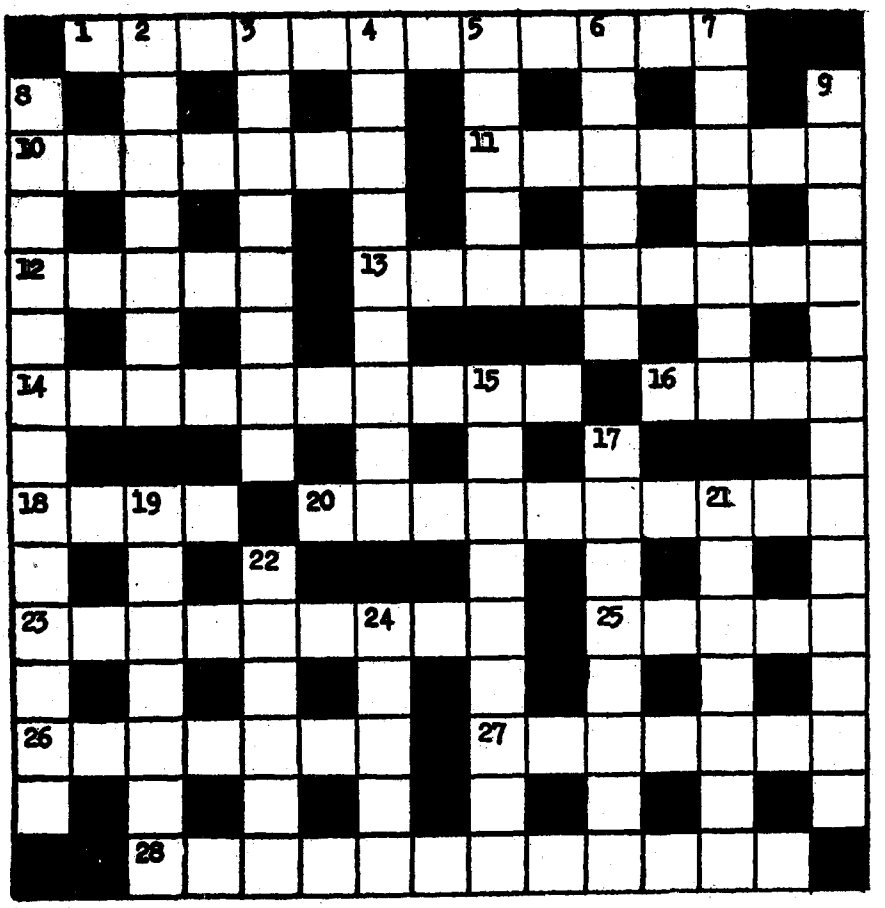
The piece is fun to think about, talk about, read about, write about; it is not very interesting to watch and to listen to (there's a new recording on RCA Victor, ARL 1-0036). The musical associations variously and entertainingly mesh —sometimes straightforwardly (the line, "When you come down to it, I've seen everything," is followed by the last bars of Poulenc's "Hôtel"), sometimes ironically ("we need an inner language an emotional language . . . no an intellectual language" is interrupted by some of the gaudier tintinnabulations of Lakmé's *Bell Song*). And a piece like this comments on the perpetually fascinating illusions and realities of theatre performance, the psychologies of performer and audience.

But it doesn't work because *Recital* lacks any real depth. The pastiche is amusing, but Berio has brought no real musical substance to his work—the offstage orchestral accompaniment is mostly only punctuation, with occasional hints that the various instrumentalists are going through the same free-associating, repertory-surveying madness as the soloist—and there is no verbal substance either; both languages lack resonance. And the performance of Cathy Berberian lacks size. She's very good at *petit-point* and she knows how to wobble on the line between real style and parody: those martellated Monteverdi trills begin as a stylistically appropriate device; then in their obsessive repetition and exaggeration they first seem funny, then quite alarmingly mad. But despite the extravagance of costume and gesture, the dramatic make-up and the platinum wig, Berberian doesn't convey much personality; her projection is not large. She had to be miked, and even that was woozily done. The notes on the recording and at the concert make claims, but there is nothing tragic, nothing even "almost" operatic, about Berberian's "recital." □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Crossword Puzzle No. 1537

FRANK W. LEWIS



ACROSS

1 Given a soap scrub, he might be having the body to match. (6-6)
10 Composes the inside T-formation? (7)
11 Not exactly fine, nor a fitting subject for the poet. (7)
12 We might expect it to happen in the seventies. (5)
13 How Cortez saw the Pacific? (5-4)
14 One of the advantageous things you might do if you chew your food slowly and in the proper manner. (10)
16 You might get to need a big garden with it. (4)
18 The aurochs marks the end of the brontosaurus. (4)
20 It's derisive, but sounds as though someone in the comic's audience had throat trouble. (10)
23 *Enterprise* loses the soft touch, but astronauts hope to make them safely. (9)
25 Did he prophesy mineral, we hear? (5)
26 Anyone buying the wooden type would get stung—me included! (7)
27 A peach of a voice, in retrospect. (7)
28 The first question of the old operator was getting a piece of music to satisfy one. (6,6)

DOWN

2 One might finish this with a certain zip. (7)
3 The first words of the book are in the conclusion, if held right. (8)
4 Prolonged musical notes to us could be made so. (9)
5 Due to having nothing on the side of the stage? (5)
6 Fish evidently smoked! (6)
7 Ran around light, perhaps, and got rid of the weeds. (7)
8 Control the course of 22—it flows in one direction. (6,7)
9 Evidently no heating in this ship's compartment—causing some indisposition. (4,2,3,4)
15 Yale men have boasted about being potential followers of Mary. (4,5)
17 In a responsible position? (8)
19 Not taken in. (7)
21 Stretches out what the hair-straightener does. (7)
22 Master builder? Flower, also. (6)
24 The questionable point of publication? (5)

SOLUTION TO PUZZLE NO. 1536

ACROSS: 1 Inexpert; 5 Spring; 10 and 29 The four seasons; 11 Utopian; 12 March; 13 Bombsight; 14 Tutor; 16 Turncoat; 19 Serenata; 22 Asset; 24 Reichstag; 26 Niche; 28 Kingdom; 31 Failings. DOWN: 1 Intimate; 2 Emeer; 3 Plowhorse; 4 Rarebit; 6 Pools; 7 Isinglass; 8 Genets; 9 Summer; 15 and 30 The Lion in Winter; 17 Chain mail; 18 Stresses; 20 Autumn; 21 Augusta; 23 Krakow; 25 Hedge; 27 Clown.

Readers are invited to send for a free copy of Mr. Lewis' "ground rules." Address Puzzle Department, *The Nation*, 333 Sixth Avenue, New York, N.Y. 10014.

PUBLICATIONS

INTERNATIONAL BULLETIN. New biweekly, six to eight page Internews publication. $6/year, $4/six months. Free sample. **Dept. A, Box 4400, Berkeley, Calif. 94704.**

THE NATION'S BEST PUZZLES
by Frank Lewis
(Limited number of sets still available)

Unique collection of wit-warpers of Books 1 and 3.

Send **$3.25** (postage prepaid) to:

E. S. Lewis
25 Hubinger Street
New Haven, Conn. 06515

SEARCH SERVICE. Out-of-print books. Free quotes. Send wants to **The Incredible Barn, Orleans, Mass. 02653.**

THE NATION INDEX
Volume 216—Jan.-June 1973
NOW AVAILABLE
Send $1. to Subscription Department
THE NATION, 333 Sixth Ave., N.Y.C. 10014

MUSIC

SEND 25¢ coin or stamps to cover mailing for a free single record and a brochure of books and records by Malvina Reynolds—"a discomforting voice of protest—her chief weapon is wit." Seattle Post-Intelligencer. **SCHRODER Music Co., 2027 Parker St., Berkeley, Ca. 94704.**

FREE 200-PAGE CATALOG. 1,400 New Stereo Recordings. Renaissance, Baroque, Classical, Romantic, Modern Music. Not sold in stores. Not listed in Schwann's. Highest quality! Budget label prices! Available only by mail. **MUSICAL HERITAGE SOCIETY, Box 932 NA, New York, N.Y. 10023.**

BUSINESS OPPORTUNITIES

BE MY ASSOCIATE. Own your own Money Business. No capital or experience required. Highly successful. Free details. **Foley, Box 535-CC, Lawrence, Mass. 01842.**

SERVICES

CARGO WANTED: Household or Commercial. Weekly trips to Boston Area and Baltimore/Washington, D.C. Area. Reasonable. **(212) 596-7268.**

QUICK (BUT CAREFUL) MOVERS. Household or commercial. Realistic estimates. Reasonable rates. Insured. No job too small. **(212) 673-5341.**

MOVING? Professional moving at competitive rates. Anytime, anywhere. Licensed, insured, experienced. **THE COVERED WAGON, ALgonquin 5-1788 (N.Y.C.)**

ADVERTISING RATES
Classified: $1.48 a line (6 words) 3 line min.
Classified Display: $14.84 per inch (min.)
THE NATION, 333 Sixth Ave., N.Y.C. 10014
242-8400

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

subscribe to THE NATION at these money-saving rates

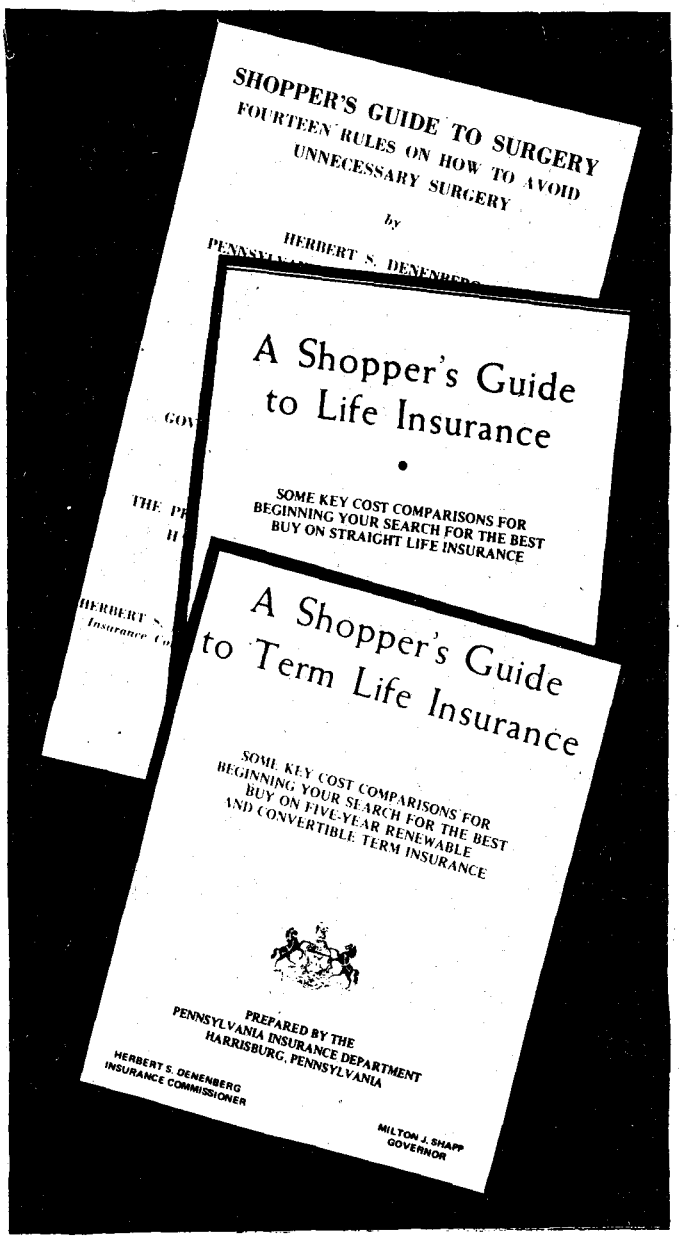
1 year	2 years
(48 issues)	(96 issues)
$15.00	$27.50

Subscribe to The NATION *now*, and get the three latest fact-filled Shopper's Guides prepared under the direction of Pennsylvania's dynamic insurance commissioner, Herbert S. Denenberg.

Many NATION readers recall our feature article about this man's work. (See "Getting Something for the Money" by Rose DeWolf —Nov. 1, 1971). Since then, the whole country has watched him on TV, heard him on the radio, and read about him in the press.

Most state insurance commissioners are spokesmen for the big companies, rubber-stamping their proposals with little regard for the consumer. Not Herb Denenberg! He states the case simply:

> **"We know that as the public gets the facts, it will shop more intelligently for insurance. And when it does, insurance companies will be forced to lower premiums and improve service."**


SHOPPER'S GUIDE TO SURGERY
FOURTEEN RULES ON HOW TO AVOID UNNECESSARY SURGERY
by
HERBERT S. DENENBERG
A Shopper's Guide to Life Insurance
SOME KEY COST COMPARISONS FOR BEGINNING YOUR SEARCH FOR THE BEST BUY ON STRAIGHT LIFE INSURANCE
A Shopper's Guide to Term Life Insurance
SOME KEY COST COMPARISONS FOR BEGINNING YOUR SEARCH FOR THE BEST BUY ON FIVE-YEAR RENEWABLE AND CONVERTIBLE TERM INSURANCE
PREPARED BY THE PENNSYLVANIA INSURANCE DEPARTMENT HARRISBURG, PENNSYLVANIA
HERBERT S. DENENBERG INSURANCE COMMISSIONER
MILTON J. SHAPP GOVERNOR

Yours ABSOLUTELY FREE!

if you enter your subscription NOW

. . . or send us a Gift Subscription, and we will mail the Shopper's Guides to whomever you designate—yourself, or the recipient.

The NATION, 333 Sixth Ave., New York, N.Y. 10014

Please enter (or extend) my subscription for the term checked below. I am paying **now**, so send FREE COPIES of the Shopper's Guides at once.

☐ 1 year at $15.00 ☐ 2 years at $27.50

(Add $1.00 per year postage for Canada and Mexico)
(Add $2.00 per year for other foreign countries)

Name _____

Street _____

City & State _____ Zip _____

☐ Bill me—with the understanding that the FREE Shopper's Guides will be sent **after** my subscription invoice has been paid.

5-11-74

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED